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MALLOUET - LETTERS 1795









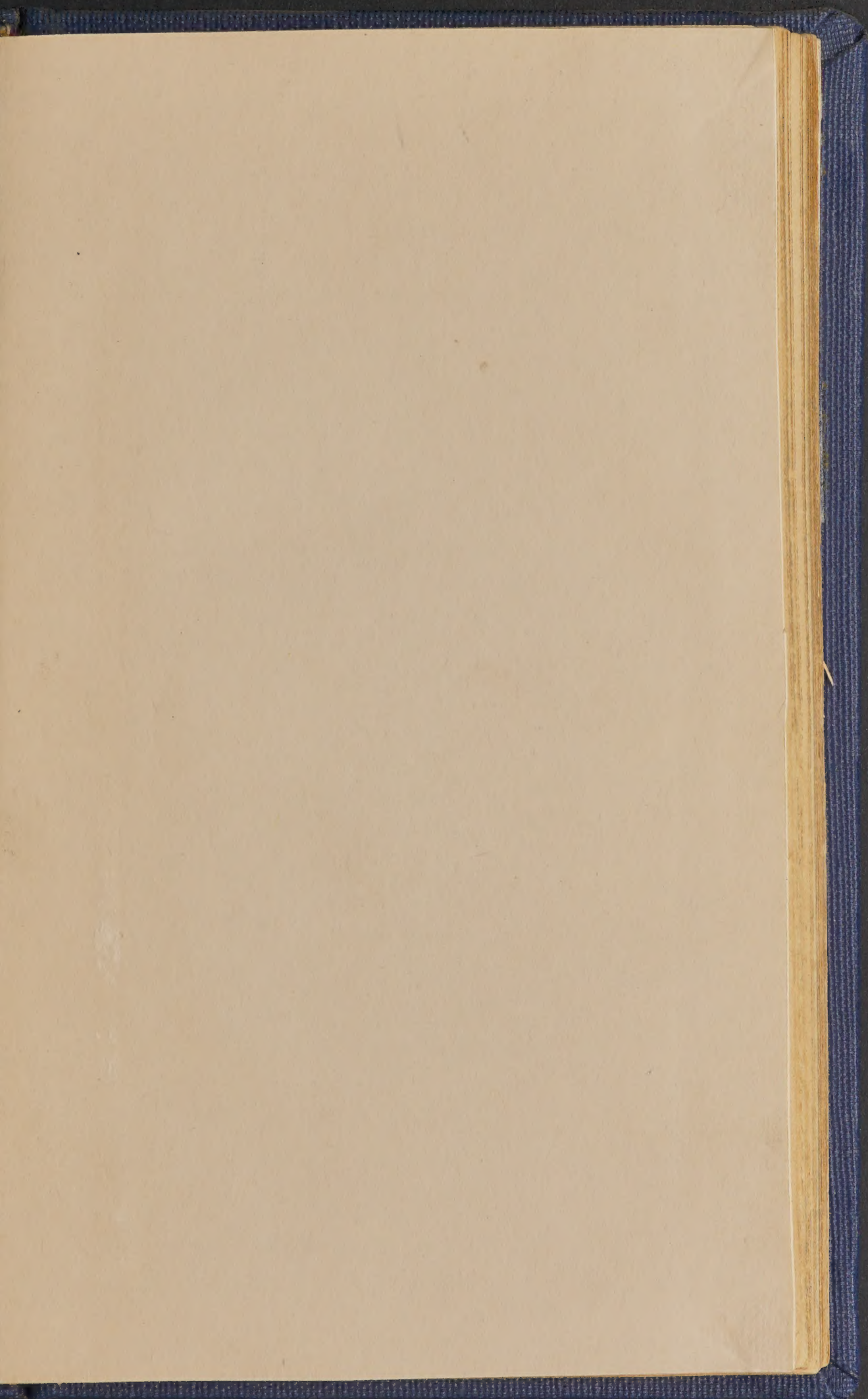




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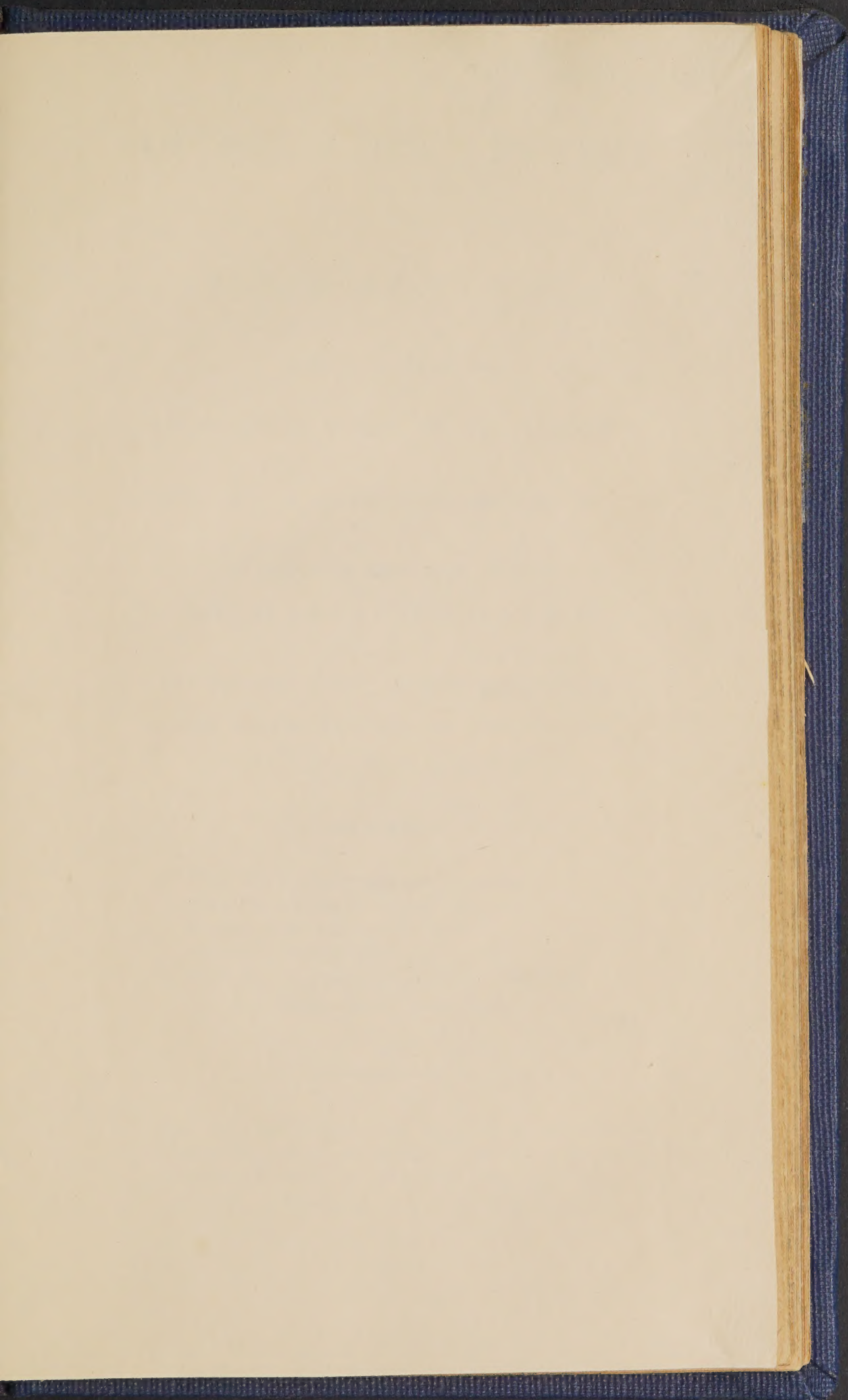




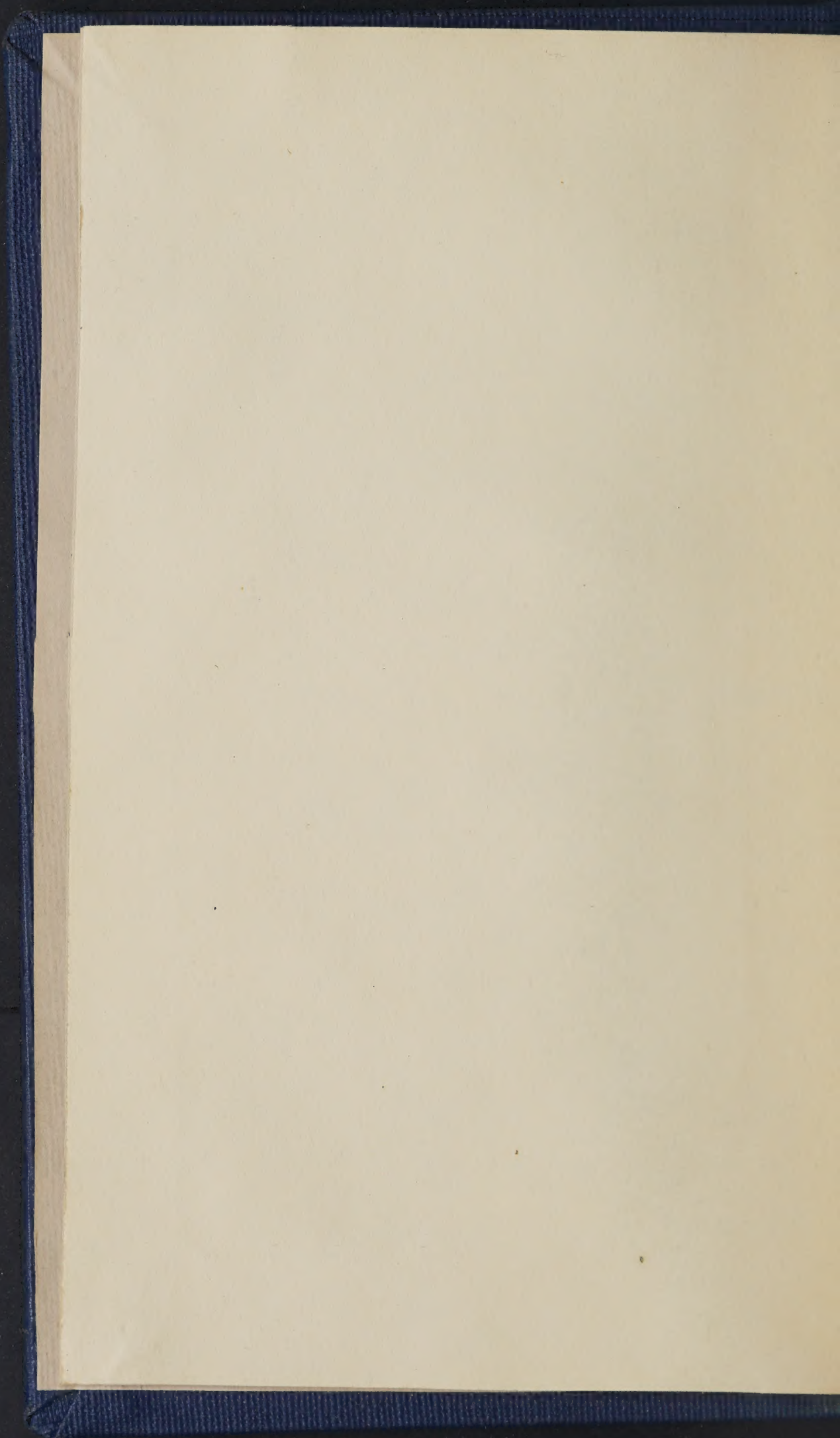














*Malouet*

# INTERESTING LETTERS

ON THE

## FRENCH REVOLUTION,

EXTRACTED FROM THE

CELEBRATED WORKS OF MR. MALOUE, T. A.

MEMBER OF THE CONSTITUENT ASSEMBLY OF 1789:

*TRANSLATED FROM THE FRENCH,*

BY WILLIAM CLARKE,

LATE PROFESSOR OF THE ENGLISH LANGUAGE,

AND BELLES LETTRES, IN THE COLLEGE

OF ALAIS IN LANGUEDOC.

---

When shall the deadly heat of faction cease,  
When shall our long-divided land have rest,  
If every peevish, moody malecontent  
Shall set the senseless rabble in an uproar,  
Fright them with dangers, and perplex their brains  
Each day with some fantastic giddy change?

Rowe.

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PRINTED FOR THE TRANSLATOR, AND SOLD BY MR. DEBRETT,  
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MR. RICHARDSON, BOOKSELLER IN CORNHILL.

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1795.



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TO

SIR ABRAHAM HUME, BART.

SIR,

IT may appear somewhat extraordinary to address the translation of a work on the French revolution to a gentleman, who must (as well from his knowledge of the original language as from his rank in society) be perfectly acquainted with the causes of that revolution, with its progress, and with all its destructive consequences. Give me leave, Sir, to palliate this seeming impropriety, by assuring you, that it was not the presumptuous hope of being able to submit any thing *new* to *your* observation, which in-

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duced



duced me to translate the following letters; it was the desire of disseminating, more effectually, under *your* auspices, the political principles which they contain, and which may, I think, in some degree, act as an antidote against the baneful poison, which enthusiasts, or designing men are continually endeavouring to insinuate into the minds of such as are not aware of the dangers resulting from the intrigues of faction, nor of the horrors and calamities which are the inseparable concomitants of great revolutions.

I trust we have nothing to fear from interior commotions in this country: It is evident that the great majority of the nation are inviolably attached to the true principles of our happy constitution; and I know, that even the most ignorant

classes of Englishmen are not so susceptible as the French, of being hurried away by chimeras. But it is necessary to enlighten the minds of good citizens, and put them on their guard against the sophistry and wiles of insidious men, who (under the pretext of unseasonable reforms) might endeavour to excite partial disturbances, in order to divert the attention of government from its important occupations, at a *time* when energy and union are so essential to repel the prodigious efforts of our rapacious enemies.

Having happily experienced, that whatever is evidently done with a good intention, will always meet with your *indulgence*, though it may have no claim to your *approbation*, I am encouraged, Sir, to offer you this humble testimony of my good wishes



wishes to my country, as a small  
tribute of gratitude, and of the  
unfeigned respect, with which I beg  
leave to subscribe myself,

SIR,

Your most devoted and most

Obedient, humble servant,

WM. CLARKE.

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T H E

TRANSLATOR'S INTRODUCTION.

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THE following Letters and Extracts are translated from the third volume of the *Opinions* of Mr. Malouet, a collection of which was published in France, in the year 1792. They have already been translated into the German and Italian languages, and have acquired a very considerable, and justly merited reputation on the Continent.

I sincerely regret that my present circumstances do not permit me to publish a translation of all the political works of this celebrated Politician, whose excellent speeches on every point of legislation which was treated in the first national assembly, are authentic and lasting monuments of his disinterested attachment to those principles of government which are founded on the basis of reason and justice, and which alone can

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secure



secure order, liberty, and prosperity in civilized states.

Undaunted by the threatening sword of the assassins, which was continually suspended over the heads of those who refused to flatter the frenzy and errors of the deluded multitude, he laboured with unwearied resolution, to stem the torrent of licentiousness, by opposing the most energetic and convincing arguments to the sophistry of the demagogues.

Overcome, at last, in the unequal struggle of liberty and justice against licentiousness and plunder, he was forced to abandon his bleeding country, and, among thousands of other victims, consign himself over to the horrors of exile.

Posterity, in perusing his \* prophetic pages, will blush at the ignorance, the folly, or the obstinacy of their progenitors, who plunged themselves into the abyss of anarchy, while

\* In reading the speeches and writings of Mr. Malouet, at the beginning of the revolution, one would almost imagine that he had had a preternatural view of what has since happened in France, from an application of these false and destructive principles which he never failed to detect, and against the dangers of which he was continually warning his deluded countrymen.

the path which would infallibly have conducted them to true liberty, was illuminated by the beams of reason and justice.

My present object, however, is not to pass an unnecessary eulogy on Mr. Malouet, but to select such of his Letters and Observations as are calculated to oppose the sophistical doctrines of our Innovators, and to shew the absurdity of their attachment to the most dangerous of all political systems, I mean *that* of French democracy.

By confining myself to the publication of only a *few* of M. Malouet's Letters, with his speech on the constitutional charter of 1789; I am forced, in some measure, to say a few words on that terrible and sanguinary revolution, to a great part of which I was eyewitness, and which I have followed through its various gradations with the most impartial attention.

Let me observe, however, that I do not pretend to enter into an historical detail of facts, causes, and events; my time will not permit it, nor do I think myself adequate to such a task. Besides, this important subject, will no doubt, be treated by writers of the most distinguished merit.

I am



I am informed that the celebrated Dr. Moore, is now preparing to publish a regular and complete history of the French revolution, from its commencement down to its present state.

The last American war had so completely drained the French finances, that the late unfortunate Louis XVI. found himself under the unavoidable necessity of levying new taxes.

This measure was strenuously opposed by the parliaments, as well as by the clergy and nobility.

The king, after having tried in vain to retrieve the finances, and rectify the wheels of government, by the aid of an assembly of the *Notables*, directed his views towards an assembly of the States-general.

The parliaments, and two first orders of the state having manifested their opposition to the measures of the Court, the minister formed a project of placing the Commons in rivalry with the Nobility and Clergy, and of strengthening the authority of the crown by the preponderance of what they called le *tiers* *etat*, or third Order.

This project was no sooner known than it excited a general enthusiasm among the people;

ple; the cry became universal for electing the deputies of the third Order in equal number to those of the two first Orders united.

The king, whose only aim, whose supreme happiness was to alleviate the burthens of the people, and reform the abuses of government, was ever ready to accede to what he believed to be the general opinion of the nation, whenever that opinion carried in it the appearance of utility and justice.

He considered it just that the influence of the Commons should be equal to the influence of the Nobility and Clergy.

It is astonishing, however, that neither he, nor his ministers foresaw, that by electing the deputies of the third order in equal number to those of the two first orders united, they would render the influence of the Commons infinitely greater than that of the Nobility and Clergy!

In the first place, more than one half of the ecclesiastics in France were the sons of plebeians, nay, often of the lowest mechanics. Was it not natural to suppose that many of these ecclesiastics, when elected as deputies to the States-general, would join with the deputies of the Commons against the Nobility, and against the Dignitaries of  
 5 their



their own order, who were the eternal objects of their envy ?

II. The nobility were composed of two very distinct classes : la\* haute et la petite noblesse (high and low nobility.)

A kind of rivalry, or rather contention, evidently subsisted between these two classes. Was it not natural to suppose that many of the lower class of nobility would join with the Commons, in order to humble their superiors, or perhaps to avenge private injuries ?

III. In a great state, where the morals were arrived at the very highest degree of corruption, was it not natural to suppose also that, even among the first class of nobility, there would be some who, either from a pure love of liberty, from a spirit of opposition to the Court party, from the desire of novelty, or from the vanity of acquiring popular favour, would abandon the standards of their own Order, and join with the representatives of the Commons ?

\* The high nobility, or noblesse d'armes, were those whose titles or letters of nobility were granted them in, or before, the thirteenth century. The second class of nobility was composed of such as had purchased their titles, or were become noble by having filled a place in some of the magistracies.

Thus,

Thus, what appeared, on a superficial view, to be just and equitable, proved a great deviation from justice, and the total destruction of all equilibrium in the government!

It may therefore be said, that the king and his ministers, who issued mandates for electing the deputies of the commons in equal number to those of the two first orders united, laid the groundwork of a popular revolution in France.

The States general were to be composed of 1200 members, of whom 600 were to be deputed by the commons, or third order, and 300 by each of the other two orders. But the nobility and high clergy of Brittany refused to take any part in the elections, or to send any of their members as deputies to the States-general, because the new mode of electing was subversive of the right and prerogative which that province had always enjoyed of electing its deputies to the States-general in an assembly of its own particular states.

This unforeseen circumstance, which left a majority of near 44 votes to the third order in the general assembly, was certainly a very powerful motive for continuing the ancient custom of collecting the voices by order, or

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at least, for adopting the salutary measure of establishing two separate houses of parliament, as was proposed by Messieurs de Lally Tolendal and Mounier, and supported by Mr. Malouet.

By the insurrection (1) of the 14th, July 1789, the distinction of the three orders of nobility, clergy, and commons, which had always existed in former assemblies of the States general, was entirely abolished.

After this catastrophe, the royal authority became every day more and more enervated. The factious innovators were facilitated in their march to the throne, by the feeble and ill-timed resistance of those who would admit of no modification or change in the ancient institutions.

It must be observed that from the very beginning of the revolution, the assembly was divided into three parties: viz. That of the enthusiasts, who seemed only bent on destroying the ancient institutions, and rearing anarchy on the ruins of government.

II. That of the royalists, who willingly consented to a reform of some of the most glaring abuses, but who would admit of no deviation whatever from the ancient system; although

although (as we have seen) this system was already attacked in its principle, by the new mode of election.

And lastly, a small number of men of moderate principles, who were also sincere royalists, but who were equally averse to the dangerous innovations of the factious, and to the fatal and ill-timed resistance of those who opposed a just and limited form of government.

I need not observe that Mr. Malouet was one of the latter party; for which he has been branded with the epithet of innovator. When the conflict of passions and party-spirit shall cease, posterity will judge from his writings whether or not he deserved such an epithet.

It cannot be denied, that if all those deputies; who were really actuated by good and laudable motives, had been unanimous in their efforts to correct the abuses of the ancient government, and give new strength to its basis, the factious innovators would have struggled in vain to accomplish its destruction. But a most extraordinary fatality seems to have presided through the whole of this disastrous revolution; certain shades of difference prevailed in the opinions even of those

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who



who had the best intentions ; and such was their infatuation, that rather than conciliate these little differences amongst themselves, rather than sacrifice their private opinion to the general interest, they preferred to submit to the base and degrading tyranny of their common enemies.

Every class of men through the whole kingdom of France seemed to wish for a revolution; not for the general good of the nation, but for their own private interests.

The high nobility wished for a change in government, which, by augmenting their influence in the provinces, might augment their power at Court, and their credit with the ministers.

The nobility of the provinces, jealous of the preference given to the nobility of the Court for all places of dignity and honour, wished for a revolution which might annihilate this abuse of power, and leave merit a fair and just opportunity of preferment.

The parliaments wished for a revolution, which might diminish the power of the Court, and give them a greater degree of preponderance in the management of public affairs,

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The inferior classes of Lawyers, Attornies, &c. ; these men who, in every corrupted state, are so notorious for their immorality, their oppression, and their rapacity ; who seem willing to renounce the hopes of future happiness for the enjoyment of present gain ; these men, I say, foresaw nothing in a revolution but the destruction of the parliaments, and of the higher magistracies, by which means they hoped to extend their *own* influence, and accumulate fortunes in the midst of troubles and disorder.

It may be observed that this class of men have been more criminally active in the revolution than any other denomination of persons whatever.

The wealthy citizens and merchants wished for a revolution, which might efface the line of separation drawn between them and the nobility, and give them access to military preferment, from which they were, in some measure, excluded. But they did not consider that the jacobins were behind *them*, brandishing the sword of equality, and ready to mow them down in their turn.

After the horrible outrages of the (2) 5th October 1789, the great majority of the assembly



sembly seemed to dread the gathering storm. They detested the Duke of Orlean's faction, and the crimes which it had committed. The greatest part of the deputies of the commons were still attached to the king, and felt the necessity of supporting the dignity of his person, and the authority of his sceptre; but they were well aware that, by uniting openly under the banners of aristocracy, they would expose themselves to the resentment of the multitude, whom the demagogues had inspired with the most implacable hatred for that party. They therefore considered the moderate party as a safe point of reunion, where they might establish an effectual counter-poise against the dangerous influence of the jacobins.

Under these circumstances, Mr. Malouet was employed to invite the aristocratical party to enter into a plan of conciliation, and to give up a part of their claims, in order to save themselves from ruin, and the nation from anarchy.

Unfortunately this scheme proved unsuccessful, while anarchy and confusion were daily gaining ground in every part of the kingdom.

The

The constitutional charter of 1789, was submitted to the inspection of a committee of *revision* towards the end of 1791 : And it is certain that even then, if all the honest and well-meaning members of the constituent assembly had been unanimous amongst themselves, they might have succeeded in rectifying the principles of the charter, and in giving a happy and equitable constitution to their country.

It was on this occasion that Mr. Malouet redoubled his efforts to repair the errors of a disastrous revolution ; he demonstrated in his speeches, as well as in his letters, that this new constitution was, in its principles, totally repugnant to a monarchical government ; that by confounding and blending together the executive and legislative powers, it tended, not only to the destruction of the monarchy, but to the total dissolution of all order and harmony in society.

I have confined myself principally to the translation of this speech on the constitutional charter, and to those parts of Mr. Malouet's letters which expose to our view, in the clearest and truest manner, the fallacious and destructive principles which have actuated, and  
which



which still actuate the *revolutionists* in France.

Many of our pretenders to politics, whether from their culpable ignorance of these principles, or from a criminal design of exciting discontent among the people, have endeavoured to persuade us that the new constitution of the French was much more favourable to liberty, and to the interests of society at large, than *that* under which our own nation has so long flourished.

Whoever candidly reads the works of Mr. Malouet, will be firmly persuaded of this invariable *truth*: That anarchy and all its horrible concomitants, must necessarily be the consequence of every revolution which is influenced by the mob, and conducted by the chiefs of faction.

Let us not judge of the present state of France from its exterior victories, which are in reality the natural result of its interior wretchedness. The destruction of commerce in that immense empire, the annihilation of the finest manufactures in the world, left no alternative to the manufacturers.

The sword, or the guillotine, was the boon of liberty which the commissaries of the  
national

national convention presented to a deluded and insulted people.

The love of *liberty*, and the *interest* of the *people* have been made the pretext for every intriguing knave to raise himself to the head of a party. But, among all those furious, pretended champions of the people, who have successively appeared on the theatre of the French revolution, can we find one individual who has been really actuated by the love of his country, by the desire of contributing to the public weal, or enlarging the sphere of human felicity?





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THE OPINION OF  
MR. DE MALOUE T,  
DELIVERED IN THE NATIONAL ASSEMBLY  
THE EIGHTH OF AUGUST, 1791,  
ON THE  
FRENCH CONSTITUTIONAL CHARTER,  
PRIOR TO ITS BEING PASSED INTO A LAW.

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IF all the inhabitants of the French nation were assembled at this juncture, every citizen would have a right, on the presentation of the constitutional charter, to say ; I approve it, or I reject it ; I refuse my assent to such or such an article which it contains. Now, as the nation at large, not being assembled, is incapable of giving its assent, or negative to this charter, certainly every one of us its representatives has a right, nay ought in duty to deliver his opinion on such an important subject, according to the dictates of his own conscience.

We have but a partial knowledge of the constitutional decrees : some of them have been adopted with too much precipitation.

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A vast number of *by-laws*, adapted to accidental circumstances, have annulled, contradicted, or disunited, many of the articles of your constitutional charter (*a*).

This is the first time we have had an opportunity of examining them in the aggregate: I ardently wish to enter into a full and ample discussion on this important subject; but your time, I fear, will not allow me that satisfaction; besides, I perceive that the majority of the assembly are already agreed on the principal points; and to contradict them would be to shock the prevailing opinion. However, it is a duty which I owe to you, and to my fellow-citizens at large, to explain to you the motives on which I approve or reject some of the fundamental articles of the charter.

(In the first place, give me leave to assure you, that, if your constitution can perform all that it promises, I shall become one of its most zealous partisans. But, when I examine your declaration of rights, when I compare it with the effects (*b*) which it has already produced, I discover in it an eternal source of errors, troubles, and misery for the body of the people, who ought to have no other idea of the Sovereign power, than that of a legal authority,

authority, to which they owe obedience and submission. They cannot in justice, pretend to any other equality than that of being equal in the eyes of the law. Nature herself does not deal her favours equally to all; and the habits of society, education, industry, &c. are continually increasing her inequalities. To me, it is evident that this Declaration of Rights is dangerously calculated to lead astray the rustic, simple, and ignorant part of mankind. \* *Step to 10*

History affords no example of such changes as you are endeavouring to operate by your pretended *equality of condition*. Should not the indelible distinction between the condition of the rich, and that of the poor, be counterbalanced by some other distinction in favour of the *latter*? This consideration perhaps, had much more influence than vanity in forming our ancient institutions of nobility. The wise legislators of antiquity were persuaded of the necessity of establishing a scale of moral subordination from one class, and from one *profession* to another. If, however, by endeavouring to annihilate prerogatives (which you consider as the usurpations of vanity and power) you strike at the very root of property and social rights; if those,

for



for whom liberty is not sufficient, should become licentious, and intoxicated with their independence, what repressive authority in the magistrates, what energy in the laws could suffice to maintain order and harmony amongst this immense multitude of new created peers ! It is therefore, in the distribution, in the strength, in the independence, in the equilibrium of the delegated powers, that we must seek for a guarantee of those natural and civil liberties which you promise to the people in your specious declaration of the Rights of Man.

Experience teaches us, that acknowledged rights are nothing, unless they are placed under the safeguard of an efficacious and protecting power.

Another very important lesson both of experience and of reason, is, that the greatest extent of political liberty, is infinitely less precious, and less useful to mankind than their personal security, and the free disposal of their property. These alone constitute the only *solid* good, the *happiness* of every moment, and the principal end of all society.

From these two truths it results, that no government can be considered as perfectly free, wise, and durable, unless it be founded

on

on the basis, not of the greatest extent of political liberty, but of the inviolability of property and of personal liberty.

Now, what has been your principal object in the organization and distribution of the delegated powers? why, it has been to establish the very highest extent of political liberty; to which you have indeed endeavoured to annex (without considering their incompatibility) the safety of persons and of property.

You have endeavoured, by a retrograde march of twenty centuries, to bring the people nearer to the sovereignty; you have placed the temptation constantly in their view (*c*), without intrusting them with the immediate exercise of it.

Such principles are replete with danger; they were, indeed, the first that were displayed in the infancy of political institutions, and in small democracies: but when knowledge attained to a higher degree of perfection, we may observe all the celebrated Lawgivers and Politicians separating the exercise of the sovereignty from its principle in such a manner, that the people, from whom its elements proceed, meet with it no where but in a delegated representation, invested with



with all the power and means necessary to enforce obedience.

If you had contented yourselves with saying that the elements of sovereignty exist in the people, your idea would have been just, and you should have hastened to fix it, by delegating the sovereignty in all its plenitude; but in declaring that the sovereignty itself belongs to the people, and in delegating only certain portions of its power, your exposition of the principle becomes both false and dangerous; false, because the people united in a body, in their primary assemblies, are incapable of forming any just notions of what you declare to be their rights; dangerous, because it is not easy to keep a man in the condition of a subject, to whom you are constantly saying *thou art sovereign*. Thus it is evident that the people, in the ebriety of their passions, will always grasp at the principle, and reject your consequences: but if after having declared that the elements of the sovereignty exist in the people, you had solemnly invested the king and the legislative body, with the full exercise of it, you would have avoided this impending danger.

Your definition of the law is not less fallacious and dangerous for the multitude,  
than

than your definition of the sovereignty. The law, *you say*, according to Rousseau, is the expression of the general *will*.

But Rousseau says also, that this general will cannot be transmitted, or delegated, to representatives, because he considers it as the result of the immediate opinion of every individual. Now, since you have adopted a representative form of government, (which is certainly the most suitable to a great nation;) since the representatives are not even bound up to any imperative mandates from their constituents; since you have even prohibited deliberation in the primary assemblies; it follows that the definition of Rousseau, which is perfectly just in *his* hypothesis, is absolutely false in *yours*, and tends only to delude the multitude, by persuading them that *their will* is the law, which they have a right to infringe, or annul at pleasure. Thus is the legislative power continually weakened by the intrigues and clamours of factious men, who constantly endeavour to usurp power, and substitute their *own will* for that of the majority. Nay, I shall venture to say, that even in the system of Rousseau, the law would be more properly defined by naming it the *expression of justice* and of public reason



son ; for the general *Will* may be unjust, and tinctured with our passions, but the law ought never to be so. It is always difficult, and often impossible to come at a precise knowledge of the general Will, by collecting the votes of an immense people ; but *public reason*, like the glorious luminary of day, is manifested by streams of light. It is by reason alone that every individual becomes attached to the public weal : from the dominion of our passions a very opposite effect is to be expected. Society, therefore, as an aggregate of individuals, is actuated by two diverging impulses, the one (that of our passions) is often violent and unruly, the other (that of reason) feeble and uncertain. It should therefore be the great aim of a well-founded constitution, to strengthen the weakest of these impulses, and to restrain the other.

In what class of society then may we most constantly expect to find those who are naturally desirous of maintaining peace and security in the state ? In the class of proprietors, without doubt, they must naturally wish for public order and protection: their supreme interest is the preservation of their property and condition : the wishes, and the hopes of the  
other

other classes, are naturally to change their condition, and obtain property. The wisest and best concerted government, then, must necessarily be that in which the proprietors of the land have the sole influence ; they, as well as the non-proprietors, are interested in the support of personal safety and individual liberty ; and they are besides, more deeply interested in the support of a just and wise administration of property.

I grant that they form not the whole body of society ; but they are the trunk and the roots, which ought to nourish and influence the branches.

It is, therefore, an egregious abuse of the abstract principles of political liberty, and hurtful even to the lowest orders of the people, whom it pretends to favour, to extend the influence on government to any other than to the class of proprietors. Such extension gives scope to the strongest impulse of men's actions, that is, to the impulse of our passions, and private interests, which always excite the multitude to act in a body, in order to annihilate the more feeble principle of reason, which tends to the general good.

It is not enough that the legislation of an empire, be confined only to the proprietors,

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elected



electd by the people. The same reasons which separate the discussion and formation of the laws from the whirlwind of passions and private interests which actuate the multitude, demand every precaution that may prevent immature or precipitate decisions in the assembly of representatives.

The discussion of the laws in one single house, or assembly, promises much less safety to the people, than if they were to undergo two successive examinations by men whose spirit and interests are different though not contrary.

\* I am therefore of opinion, that by constituting the legislative body in one assembly only, composed of every class and condition without exception, you do not offer a sufficient guarantee for those natural and civil rights which you declare to be the inherent privilege of the people. Shall we find this guarantee in the authority of the king? No, the very essence of royalty is perverted by the mode of delegation, and by the state of dependence to which you have reduced it. \* 508

The king you say, is chief of the executive power, yet you deprive him of the authority necessary to exercise it. I own that liberty cannot be preserved without the responsibility

sponsibility of the ministers ; but royalty is annihilated if the prince himself is to be responsible.

Royalty, in a free state, serving only as a counterpoise to another power, should have sufficient weight and independence, not only to check the errors, but also to prevent the usurpations of the legislative body. \* The title of *chief* of the executive power might, with equal propriety, be applied to a doge, an *avoyee*, or a president of the United States but, in order to preserve the equilibrium in a mixt monarchical government, the prince must not only form an integral part of the sovereignty, but also be invested with sufficient power and authority, to enable him in some cases to resist the legislative body. *Stop*

What is then, the essential attribute of royalty ? \* *Sum*  
*NO NEW*

The only attribute which distinguishes it from other magistracies, is, that *independent power* inherent in the king's person, by which he not only refuses or sanctions any act of the legislative body, but even prorogues or dissolves an assembly, whose violent enterprizes tend to subvert the constitution.

Now



Now the king being stripped of this authority by your *constitutional charter*, what other power have you left him in its place, for the defence of his prerogative and independence? It is easy to prove that you have left him none. For the *Suspensive Veto* is a privilege which he can seldom or never employ for the maintenance of an authority, against which all the other magistracies are combined by the very nature of their institution, and by the strength which they receive from popular opinion.

The legislative body, united against the throne, and over-ruling the administrative bodies by its continual inspection and accusations, becomes not only the effective center of all the powers of government, but may, when it pleases, usurp all the branches of public administration, by the unlimited extent which it gives to the king's responsibility. The prince is, therefore, under the constant and most abject dependence on the national assembly, which has already assumed to itself a very considerable portion of the executive power; such as the organization of the army, *that* of all the offices and employments, the distribution of rewards and honours,

honours, and the regulation of the military forces of the king's household.

Can you hope to find, in such arrangements, that equilibrium of power which you intended, no doubt, to establish?

By an abuse of these two abstract terms, *sovereignty of the people*, and *general will*, you have united all the moral and physical strength of the nation against the throne. You may see, however, from fatal experience, that the executive authority ought to have been independent, in order to protect your rights, and defend the laws—which are now become the scoff and derision of the mob.

The functions assigned to the administrative bodies, the manner in which they are composed, are evident proofs of my assertion.

The division of the kingdom into departments, the assessment, and receiving of the taxes by the delegates of the people; their revisal of all public expences in each department, are certainly all of them wise regulations, and conformable to the principles of a good government; but can the active part of the administration, which requires a constant responsibility, be collectively exercised with safety, by these same delegates (*d*)?



The king, you say, has the superintendence of this administration, may annul its acts, and suspend its agents : but who will inform him of their negligence, or of their acts of injustice ? These bodies, who are entirely independent of the crown, whose members are never to be nominated by the prince, are, by the nature of their institution, the rivals of the royal authority, and will always conspire, in concert with the people and the legislative body, to enfeeble the power of the sovereign.

By investing the administrative bodies of the departments, with the executive authority, of whose acts they should only have been the *recorders*. You have deprived the state of the best form of administration which can exist, viz. that where the superintendence is placed immediately over the action, and where the inspection of accounts instantly follows the expenditure of the public money. By these means you might have secured to yourselves the best and most exact responsibility.

As your charter does not specify or assign any particular function to the municipalities, it seems tacitly to acknowledge the danger of  
of

of the supreme power, with which they are invested at present.

In fine, gentlemen, from the numerous dangers and obstacles which you have thrown in the way of the executive power, from the extraordinary and unheard-of measures you *have* lately adopted, by specifying a multiplicity of cases in which the prince may forfeit the crown, it is evident that you have stripped the monarch, in reality, and in the public opinion, of whatever could command obedience to the laws; and that you have left him no means of discharging the duties which your constitution requires of him.

I shall say nothing on your new courts of justice; the silence of your Charter on that head, seems to acknowledge their imperfection.

But your mode of organizing and employing the public force, is truly alarming. You have transformed the whole nation into a permanent army. What can be the object of this strange and dangerous innovation, which seems to throw us back into the ages of barbarity?

It was, no doubt, necessary to form a militia, proportioned, in some measure, to the number of our regular troops: but, an immense population converted into national guards,



guards, the habitual use of arms without regular or severe discipline, military labours constantly mixing with civil employments, may not only be productive of terrible commotions, but will necessarily cause an enormous loss of *time* and useful *labour*, which are so essential to the happiness of the *poor*.

The direction of this national force, instead of being entrusted to the executive power, as in England, is submitted to the weakness, the ignorance, or the intrigues of your municipalities.

I shall here terminate my observations, without hoping that any amendments resulting from them, will be adopted; but my reason and conscience forbid me to give my suffrage to a constitution so repugnant to the principles which I have here exposed. I shall henceforth submit in silence, and mix with the number of those who obey. If the assembly does not think fit to deliberate on my observations, let me at least solicit and obtain an acceleration of those measures which ought to insure the perfect liberty of the king's person: let me also request that your deliberations on the constitutional charter, may be terminated by a nominal appeal to every individual member of the legislation.

LETTERS

# LETTERS

ON THE

## FRENCH REVOLUTION.

BY MR. MALOUE.

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### LETTER I.

TO THE COMMITTEE OF CONSTITUTION.

3<sup>d</sup> Sept. 1791.

**I**T is truly my love of Liberty which makes me disapprove of your new constitution; for, without betraying the *former*, how could I give my approbation to the *latter*? Do you require nothing from me but obedience to the law, and respect for public order? My respect for the laws, my love of order, is perhaps much more sincere than *that* of the most clamorous zealots for the revolution among you: But the great and numerous defects of your new institutions (defects extremely evident to every impartial

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and



and discerning mind) forbid me, as a conscientious man, to concur in promoting their duration. If what I judge to be wrong, appears in your eyes to be right, then all explanation between us will be useless, and you will have no more influence on my opinions than I shall have on yours; but since you have been so candid as to acknowledge that your constitution is defective, allow me to go a step further, and prove to you (which I think I very easily can) that it is not only defective, but absolutely impracticable. Can you reasonably expect that those who are convinced of its impracticability, should join with men who shut their eyes against the evidence of demonstration? If honest men would unite, and form a peaceable majority in our assembly, anarchy would soon vanish, and you would be able to establish a government on the basis of reason and justice. But I can foresee no end to our calamities, while you persist in your present system—while some of you believe, and others of you feign to believe, that the vast empire of France can exist and flourish under your new constitution.

I would by no means encourage an aggression of the law, nor would I have those  
 who

who disapprove it, to resist its execution ; on the contrary, I sincerely regret that your constitution itself is destructive of good order, and perverse of social harmony. The execution of the laws is shamefully neglected, even by those who formed them ; by those who defend, and pretend to be their admirers. This is a fact (*e*) which I wish to render obvious to all, and which *you* are constantly endeavouring to conceal. *You* seem persuaded that France may at least be governed for some time, by your new constitution (*f*), which may afterwards be reformed according to circumstances ; but I affirm, that the nation will neither enjoy peace nor security until it has undergone very material alterations. This I shall prove in the following manner.

Let us suppose that your constitutional act contains only these words : “ Citizens ! be just ; you are now free, and equal in rights.” In this case you would have no need of a constitution : But if you point out the rules of justice, you must also point out the nature and extent of liberty and equality. It is certain, however, that if all our citizens would faithfully observe this precept, *Be just*, there would be no necessity either to  
fear,



fear, or to desire a new order of things. I am willing to believe that you intended adding to the precept, *Be just*, the means of execution, with regard to the practice of justice, and the maintenance of liberty ; but if these means are insufficient ; if, instead of securing the exercise of justice, and the maintenance of liberty, they daily expose the one and the other to be violated with impunity, it is then clear that your constitution is vicious ; and even supposing it founded on morality, its means being null, it becomes impracticable.

The theory of your legislative system is totally inapplicable to a great society, and its political means would destroy order and harmony in a state, much more simple, and less extensive than that of France.

The basis of your pretended government is Equality, and the very greatest extent of political Liberty. It is thus, that an infant society, circumscribed to a very small surface of country, might organize itself immediately after an equal division of the soil. The same faculties, the same wants, the same talents, the same vices, and the same fortune, are nearly equal to all. In such a society, there is no reason why the exercise of  
political

political rights, and the influence of every citizen on public affairs, should graduate in different proportions.

But if you are an immense people, diffused for ages past over the greatest part of the continent, corrupted by arts, by luxury, and even by indigence ; if there exists among you a small number of great proprietors, and a vast number of inhabitants without property ; then you are arrived at that period, when it would be impossible for you to model the rights of every individual according to the natural and primitive Rights of Man, without operating a total dissolution of your society.

In the primordial state of a society, there is only one simple and positive compact among all its members, which is this : “ *Let every thing be equally divided amongst us.* ” There is nothing fictitious in this compact ; it is founded on equity, and put in execution at the very moment of union. On the other hand, let us examine what happens in the progressive steps of a society which is constantly increasing in population. *Here*, new compacts are formed every day between those who possess, and those who have nothing. The rich say to the poor—“ Work  
for



for *us*, and we will support *you*." This is a new convention, which annuls the primordial compact, and makes the order and harmony of the society rest on a new basis, viz. that of *one* active, governing and protecting power. Of what materials do *you* compose this governing power, if, on one hand, you wish to maintain the necessary treaty: *Work for us, and we will support you*; and on the other hand, you return to the primordial compact: *Let every thing be equal among us*?

Is it not evident; that in this second period of society, you ought, above all things to provide employment, subsistence, and tranquility, for the non-proprietors, and an inviolable security for the person and fortune of the proprietors? If, by a specious and fatal theory, you seek to re-establish primeval equality in your society, do you not foresee that you will inevitably deprive the executive power of all its moral strength, and reduce it to its numeral strength only? If once you *invest* the immense multitude of non-proprietors with the public force, by what means will you be able to fulfil the last social compact—" *Work for us, and we will support you*?" By what means will you then protect private property?

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Your legislative system is, therefore, founded on an anti-social basis, although its principle be deduced from natural right. Every political society, from its very beginning, and still more in its advanced state, is a deviation from natural right. But you seem to have lost sight of this great truth; you have suffered yourselves to be led astray by the specious *pretenders* to philosophy: You are become mere sophists in practice by *their* fallacious rhetoric, and the exaggerated consequences which you have deduced from vague principles.

I by no means wish to retrench from the constitution of a great people, the principles of a just and reasonable equality, or the solid advantages of political liberty. But be assured, that too great a latitude given to the one or to the other, never fails to destroy both. This assertion is proved by your new institutions (*g*).

The only reasonable Equality to which every member of a great society has a right to pretend, is—civil liberty, personal security, justice, and protection of the laws, without distinction of rank or condition.

With regard to each of these, the poor as well as the rich, the weak as well as the



strong, the simple rustic as well as the man of genius, should all be equal in the eye of the law. No exception, no personal preference can take place *here*, without oppressing some individual. The happiness of every member, and the prosperity of the social body at large, depend essentially on the inviolability of *Civil Liberty*. *Political Liberty* is very different in its nature: as its main object is the preservation of respective rights, it ought to extend only to what is salutary for all, and be limited in what would be prejudicial to many. Now, what is really salutary, and even essential to all, in a great society, is, *one superior and protecting power*, the annihilation of which, would not only be prejudicial to many, but fatal to all.

The first stipulation, therefore, of political liberty, rightly understood, is, to make it contribute to the support of the *protecting power*, that is, of government. If it tends to weaken *this*, it acts against itself, and will, infallibly, produce anarchy and dissolution.

Now, in order to determine the exercise of political rights, according to these principles, and to trust nothing to an uncertain theory, which is susceptible of being fixed  
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by positive calculation; place yourselves on an eminence, from whence you may see all the members of a great society, their territory, their occupations, &c. You will first observe the *masters* of the soil, that is to say, the *proprietors*. I suppose them distributed at the rate of one in ten; you will therefore see a hundred individuals diffused over the estates of ten proprietors. The elements of their subsistence is the surface which they inhabit; the first thing to be done therefore is, to establish its administration, and afterwards to provide for its defence. But in order to judge more accurately of the whole, you must examine the interior of each division or property in particular. Enter my habitation, where I live with ten of my fellow-creatures, who are my guests, my auxiliaries, or my servants. I have made an agreement with them, in order to give stability to our union, and render our services mutual. They are interested, and have an undoubted right to a guarantee for our treaty; but you do not desire they should govern my house; you leave me the direction of our labours, and the superintendence of our harvest. Let us suppose that a like compact is formed at the same time with all the other

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proprietors, and then we are become a political body, with all the real advantages of civil as well as political liberty. We, who are the owners of the territory, are particularly interested in providing for its safety and good administration. Being fewer in number than our auxiliaries, we must naturally endeavour to make them feel the advantages and the necessity of social protection. We must modify the exercise of our political liberty in such a manner, that, if they have less influence than *we* over our property, they may have, on the other hand, as great a share as we, in the enjoyment of civil liberty. In order to accomplish this end, our first care will be, to place the law and the public force above all those who might desire, or be interested to infringe or elude them. But, in order to do this, we are well aware that, even among us proprietors, none but the wisest, most virtuous, and most independent men should be elected to the national council: that the safety and liberty of the people consist in their being able to determine, approve, or disapprove the choice of their governors, by submitting them to conditions which may inspire public confidence.

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It is not enough to possess some property ; a candidate for the council, should be one who lives independent of any salary whatever ; for it would be absurd to elect, as member of the supreme council, a man, who has always been accustomed, from his wants and necessities, to depend on, and be subservient to the will of others. These necessary modifications, tending to establish a gradual alliance between the proprietors and the non-proprietors, give an immense preponderance to labour and industry in the scale of politics, by making them the means and source of property, which is itself the means and source of influence on the government. With such a political system, under the auspices of such a government, every thing flourishes, for every thing moves in harmony. The different parts of the constitution are simplified by degrees, and organized in conformity to the morals, the locality, and population of the state. If the nation is vast, the government must be so much the more concentrated ; for the multitude must be constantly kept in action, but never suffered to command. The people must experience no difficulties



difficulties in the exercise of their industry, or in the honest means of arriving at affluence and happiness ; but, let their folly be constrained, let an insurmountable barrier be every where opposed to their excesses and licentiousness, which always begin by anarchy, and terminate in despotism.

This, I conceive, is the only constitution adapted to the happiness of a great empire ; the only constitution in which liberty can be conciliated with order and public tranquillity. I shall now proceed to answer your futile objections. Is it just, say you, that the laws, which are to bind twenty-five millions of people, should be framed by the representatives of only one tenth, or one twentieth part of that number, or that the majority, from whom emanates the general *will*, should be subjected to the minority ? In this case, the minority would be the prince, and the majority the subjects ; whereas, the sovereignty resides incontestably in the aggregate of individuals called the people.

This I deny ! You have transformed the sovereignty and general *will* into a monster, by displacing the elements of which they are composed !

composed ! There can be no sovereignty without territory ; and primitive sovereignty could belong to none but the proprietors of the soil. They alone had the right of delegation. All political rights may be traced up to this source, unless they have been usurped by strength of arms. It is therefore evident, that the right of property is the very soul of society, both in its origin, in its progress, and in its duration.

Whenever you subject the small number of proprietors, who represent the primitive confederation, to the will of the great number of non-proprietors who were, as we have already said, admitted as auxiliaries, you either totally dissolve the society, or you provoke a new partition of the soil. You say that the multitude will become subjects, though they compose the majority.

But let me ask you, is it just or reasonable that they become the masters of the minority, to whom the territory belongs, and who are the depositaries of the primordial title of sovereignty ? Examine the nature of these two systems : In the one, every thing is displaced, all order is changed into confusion, no other rights are observed, except those of corporal strength



strength and superiority of numbers. In the other, the rights of *all* are preserved in their original purity. The sovereignty is modified, with regard to the non-proprietors ; they are admitted, with the proprietors, to a participation of office, and employment in the state, and enjoy an equal share of protection from government. *Here* the power is invested in those who have a fortune to preserve ; in *your* system, it is committed to those who have a fortune to acquire. The former have no inducement to an abuse of power ; for, if, as members of the sovereignty, they enjoy some advantages over the non-proprietors, it is nevertheless, their highest interest to continue them as auxiliaries and prevent them from becoming enemies ; whereas, by investing the multitude with an independent force, you at once unbridle all the disorderly, and sordid passions, you establish the horrible reign of anarchy with all its baleful calamities, on the Ruins of Peace and Public Prosperity.

Remember with what care, with what dexterity, the wise, the great Legislators of Rome mitigated this dangerous extreme of democracy, by dividing the people into tribes.

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This is sufficient to shew you the impracticability of your constitution, in its very principles. It prescribes respect for private property, the practice of justice, obedience to the laws, the defence and preservation of liberty; and at the same time it consigns over all these precious treasures to the caprice and fury of the mob. I have already proved the futility of your constitution, by argument, I shall now prove it by facts.

Let us examine the present situation of the kingdom; the delirium of your popular assemblies, the ludicrous vulgarity, ignorance, (*b*) and vice of those who compose your administrative bodies, and your tribunals; the licentious crimes which are every day committed in the towns, in the provinces, in your armies, and in your fleets; alas! they are too universally known, to require, here, a painful recital. From what cause, then, proceed all these evils, at the very time that you have established laws (intended, as you say, to promote public happiness), and constituted civil and administrative bodies to put them in execution? The cause is obvious. The moral of your constitution is a fable, and its means of action are the vilest instruments of anarchy.



anarchy. The confusion and degradation of all legal authority, the unbounded influence of the multitude are the inevitable consequences of such a system. I shall divide your constitution into two parts; the first contains the following declaration: People! be ye just; Liberty and equality are proclaimed. The second part is precisely equivalent to the first, and consists in this declaration: Let the sovereign multitude do whatever they please; it is not our intention to make any provision in favour of government; to give energy to those who ought to command, or inculcate circumspection to those who ought to obey. Let the most turbulent, the most audacious, the vilest intriguers rise to the first dignities in the magistracy, and to the highest public employments. It is for them alone, that we have smoothed the paths to preferment, while we have strewed them with thorns for men of probity and honour, who are incapable of stirring up, or deceiving the people. Let clubs, libels, and popular motions be more powerful than the laws. Let the fury and delirium of demagogues be our supreme law.—Such, gentlemen, is the mechanism

nism of your new constitution, such is the mode in which it is executed.

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## LETTER II.

TO THE SAME.

YOU imagine you can accomplish every thing, by what you call your *Principles*. Whatever is just and true bears the stamp of eternity; but your productions of this kind, recall to our mind the very infancy of society. Not one just, or simple idea is to be found among the multiplicity of your laws, among all your pompous definitions of liberty and sovereignty. You have even disguised and contaminated those of others which you have adopted as your own. It was, for instance, a just and simple idea, to declare that the sovereignty is not the property of any one individual; that the exercise of it is primarily delegated by society. You have however misled the people on this very point, by your abstracted definitions. There is a sacred and a sovereign right in the moral of societies which should *live* in the *conscience* of the people, but should never be put into  
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their *hands*: you have drawn it from its genial sanctuary, you have exposed it to prostitution in the public places. You have transformed this conditional right into absolute power; you have dissuaded the multitude from believing in the necessity of obedience; you have inspired them with an insatiable thirst for the most licentious independence. Was it not your indispensable duty, on the contrary, to place the multitude at a very respectful distance from the only true, indelible sovereignty, viz. *that* of the laws, <sup>in</sup> fenced by a military force? This is the sovereignty under which every nation will return after the Delirium is over, after the wicked have glutted themselves with crimes. This is the sovereignty which will govern the world, if ever peace and happiness become the portion of humanity. You pretend to give birth to this golden age, but you have sullied its dawn with deeds of injustice, cruelty, and horror which time can never efface. You have chosen as the depositaries of supreme reason and sovereignty, men of the rankest ignorance, of the most turbulent, low, and vicious passions.

Is it not much more important to preserve a corrupted state from a total dissolution, than to render it free, before the morals of the people

ple are prepared for the enjoyment of liberty ? If you had first enquired what was the best form of government, liberty would naturally have resulted from its establishment ; but you have attempted to secure liberty, before you have formed your government, and for this reason you have neither government nor liberty. It was easy to effect a happy and just revolution, but in order to render it useful, it was necessary to be extremely scrupulous in the choice of men, and measures : for, if it is true that poisonous plants can produce no salutary fruit ; neither can violence, cruelty, and injustice produce liberty or pure *morals*.

Liberty consists in the free exercise of all the legal rights which a well ordered society secures to every one of its members.

It is not, therefore, this or that form of government which constitutes true liberty ; no, it is the wisdom of its measures, and the equity of its principles. A popular government may be cruel and tyrannical ; a monarchical government may be free and lenient.

Honesty is the first requisite to constitute a free citizen : where there is no probity, there is no virtue, no true patriotism. If probity had presided in your assembly, your revolution would have been without reproach. Your  
misfortunes,



misfortunes, your crimes, your anarchy, your misery, are the inevitable result of your immorality.

The man who is animated by the love of doing good, knows no other servitude or restraint than what is imposed on him by the relative duties of his station. In these duties alone, he finds all the ties which unite him to the interest of his fellow-creatures, and all the legal means of contributing to their happiness. Such a man, no doubt, wishes for the liberty of his country; that is, for a government subjected to immutable principles, and equitable laws, which no authority can infringe.

Such were, in the beginning of this revolution, the sentiments and wishes of many good citizens, whom I shall never confound with the infamous agitators of trouble and anarchy, who have usurped for themselves and their agents the exclusive title of patriots, while they have branded, as enemies of the public weal, all those who were able to oppose reason to their audacious attempts, or justice to their inequity and crimes.

Honest and well-meaning citizens groan under the most tyrannical oppression; every sentiment of true liberty is extinguished in  
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the hearts of that vast multitude of intriguing knaves, or infatuated dupes.

The only palladium of liberty, is the courage of an honest man. That sacred cause can never be defended, or protected by vice and immorality.

The monstrous aggregate of sophistical principles, iniquitous measures, violent and cruel proceedings of rapacious men, who impudently pretend to espouse the cause of the people, does not characterise a revolution, but a total dissolution of society, in favour of perverse and ambitious adventurers.

It is a melancholy truth, deduced from experience, that the generality of men assent more readily to absurdities than to evidence. It was evident at the opening of the States-general, that every vestige of oppression might have been done away ; that you might have reformed the Government, without commotion, and established public liberty on the most durable foundation ; but it was absurd to imagine that the habits, religious opinions, and prejudices of the ancient government, could be destroyed at one blow, without the most violent efforts of tyranny. It was absurd to proclaim liberty, happiness, and regeneration to the people, by fomenting sedition, exciting calumny,



calumny, and encouraging plunder and assassination.

A true patriot with the sincere wish of procuring liberty and happiness to his country, according to his own principles, would find himself under the strictest necessity of employing measures diametrically opposite to those employed by all the promoters of revolutions, of which we have hitherto any knowledge. They have always begun the execution of their plans by unbridling the mob, by inviting the people to shake off all restraint by stigmatizing every authority but their own, with the appellation of tyranny. They appear to have been insensible to all the horrible devastations and cruelties which characterize the sudden transition from an ancient, to a new form of government. Immorality is favourable to their projects, they sanction it as a virtue; they seek for, and encourage knaves, because such alone are useful instruments of their tyranny and oppression: falsehood, perfidy, and calumny, are the means by which they disunite all the ties and interests of those classes of the social body, who seem to resist their absurd innovations.

The abettors and ringleaders of a revolution, whatever they may say to the contrary, invest

invest themselves with the dictatorship, both in a moral and political sense: they know no other law, no other virtue, during the time of action, than the success of their views, and the establishment of their system.

Judge then, if a truly honest man whatever may be his love of liberty, is capable of acting such a part! no, he is well aware that happiness, and true liberty, are never the result of crimes, but must be founded on the basis of justice and equity.

It might be inferred from these principles that, all the agents and abettors of such a revolution as yours are really men devoid of honour and probity; but it is just to make some exceptions; we must leave room for repentance, and make allowance for good intentions: we must pity the credulity, or short-sightedness of men of an ardent temper, who rush into the crowd before they are informed of its designs.

It is certain, however, that every man who wishes to change the government of his country, by any other than by legal measures, is an ambitious and formidable adventurer, more inclined to vice than virtue; and you will find, on examination, that, from Marius to  
Mirabeau



Mirabeau, from Mahomet to Cromwell, no one sedition, no popular commotion whatever, has been excited, and conducted by a man of virtue and integrity.

We must, however, carefully distinguish those revolutions effected by causes which act immediately and sensibly on the manners and habits of a nation, from those which are effected by premeditated and combined impulsion; and which always divide the people into three parties: the instruments, the opponents, and the spectators.

When the manners and habits of a people are violated and insulted by a tyrant, the sentiment of resistance and indignation once manifested, becomes general: the oppressed seek for a chief, and the moment they find one, all opposition, all indecision is at an end, except what proceeds from the satellites of the tyrant. But, in a government where order, general protection, and public tranquillity are the motives of action, where abuses are only partial and intermitting; in such a state, I say, those who are oppressed seek for redress, those who are enlightened wish for reform and melioration, the great majority, dread, and wish to avoid commotions, none but men of audacious and turbulent

lent character wish for a Revolution. Or, should some individual of superior genius and virtue conceive an elevated plan of general reform, we would have nothing to dread from consequences : he would adopt no measures of execution but those suggested by morality and justice. Cast your eyes on the deplorable state of France, on the plunder, persecutions, and murders, which are daily committed ; and then confront your boasted principles with their baleful consequences,

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#### LETTER IV.

TO MESSRS. N—AND D—, EMIGRANTS.

MARCH 22, 1792.

**I** DO not condemn you for leaving your country. The atrocious persecutions to which you have been exposed, authorise you to elude the oppression of a Government, which, by its own example, has taught you that you have the right of resistance. Let me conjure you, however, to listen to other counsels than those of resentment, to reflect

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with



with calmness on your situation, on the situation of France, on that of Europe. Let us not confound the Revolution with the horrible crimes by which it is signalized.

The existence of the ancient manners and customs of a people depends on two causes ; either on their good and salutary effects, which endear them to society ; or on a political and religious superstition, which renders them inviolable. But, when time, when the progress and the abuse of knowledge have given more subtilty to the passions, more temerity to opinions, and a greater diversity of interest ; a restless something begins to agitate the mind ; every veil is torn away, every tie of the social body becomes relaxed ; the first signal of independence is but the harbinger of the impending storm : truth and falsehood lose equally the power of constraining ; whatever is ancient wears the aspect of decay ; novelty puts on the charms of youth and prosperity ; cloy'd with the *past*, the multitude concentrate all their hopes, all their enjoyment in the *future*, and ardently press forward to a Revolution. When this period arrives (and it was arrived with regard to France) the fate of an Empire depends entirely on those who govern it. If they

they have foresight, wisdom, and courage, they will anticipate the Revolution; they will direct its course and temper its ardour: glaring abuses and old prejudices will be done away by degrees; more integrity will be observed in the administration; justice will become more impartial and discipline more severe; the public authority will at once know how to inspire the turbulent with fear, and how to respect liberty. Gravity of manners in the first ranks of society will secure dignity and respect to religion; public economy will produce a diminution of taxes; the encouragement of Arts, commerce and industry will prevent indigence, and diffuse content. These wise and prudent regulations and reforms will calm the minds, dissipate the inquietude, brighten the hopes, and satisfy the desire of novelty in the people. Whatever tended to disunite is repressed by a central, energetic Authority: order returns, and the political body is regenerated, without commotion. These, gentlemen, are the only conditions by which a revolution may be prevented after its elements have been collected by the hand of time.

The French Revolution has been ripening apace for these thirty years past. Nothing  
less



less than a total change in your manners, your books and your government could have prevented it. If Providence had subjected it to the direction of worthy and just men, there would have been no necessity for emigration: you would have been reformed without commotion, you would have arrived at a happy and equitable Government without traversing the frightful chaos of anarchy. For, notwithstanding the impetuosity and corruption of the people, they are susceptible of good, as well as of vicious impressions. The reign of our monarch was never tarnished by one single act of tyranny. His greatest solicitude has been to alleviate the ills of humanity, and redress the grievances of the people.

But, you are doomed to serve as a lesson of admonition to other nations. Your power resembled the statue erected on a pedestal of clay: a fallacious and destructive philosophy had sapped its foundation: perverse and inconsiderate children began to cast stones at the Colossus, and it tumbled to the ground.

Your cause is said to be that of kings and nobility, but is it not also that of the people, that of humanity at large? kings and nobility are nothing without the arms of the people. The immense forces of whom they disposed at pleasure, and from whom they received an  
implicit

implicit obedience, are now become acquainted with their own strength. An immense people can only exist as a nation by being united in different social bodies.

Self-interest and the abuse of knowledge have dispersed these bodies in France; independence and equality, brandishing a two-edged sword, march with gigantic strides from one corner of the nation to another, and threaten destruction, not only to France, but to all Europe. Once more, let me invite you to reflect maturely on your position. Do not hope that you will succeed in re-establishing the nobility, the throne, and the altar, by the force of your arms and the arguments of your ancestors. No, remember that the children who threw stones at the statue are now become formidable giants.

Can you reasonably hope to rally under your banners, men who have neither titles nor distinctions to defend, who are no longer awed by the splendor of the Great, and for whom these titles and distinctions have long been the objects of jealousy? Can you reasonably hope, in the present crisis, to find soldiers who will still consent to be the passive instruments of vanity? The necessity of hierarchy results solely from the inviolable



ble right of property. Let the right of property, then, be your point of re-union. A remedy for the troubles and anarchy which devast your country, must be sought for in the medium between ancient simplicity and the depravity of the present age ; between the errors of our fore-fathers and the modern abuses and false application of truths. The banners of pure, but severe reason must henceforth be the banners of every government. It is in vain you assemble the wreck of your forces on a strange territory, it is in vain you form an alliance with other nations, if you do not first begin by offering a solemn and political sacrifice to equity, to the spirit of the times, and even to the passions of your cotemporaries. You must avenge injuries by forgetting them : you must renounce interests which are peculiar to yourselves, in order to secure one great interest, which is equally important to every nation. Why will you fight in defence of the flowers which adorn your garden, while you expose your fields to ruin and devastation ? You dispute on the modes of government, while every legal authority is in peril. These reflections are addressed, not only to you, but to all the Princes in Europe. The clouds  
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which imbosom the tremendous storm, are not confined to the vicinity of their camps alone; they are gathering, with the rapidity of thought, over the plains, on the mountains, on every point of the horizon: the clubs serve as conductors to the electric matter, the insurrection of the troops are its dreadful explosion.

By your divisions, your jealousies, and your want of a well concerted plan, you are become enemies of the revolution without means of resistance. Your mode of defence has been just what was necessary for causing you to be attacked with greater advantage by men, who are strangers to every sentiment of justice and generosity. How bitter are the fruits of this inexplicable conduct! If you wish to put an end to your calamities, unite yourselves, as simple proprietors, with all the proprietors of France, and of Europe; for a delirious democracy threatens, not only the subversion of all order, but the total destruction of the rights of property.

Let all the governments of Europe join in a solemn declaration, to punish the violation of the rights of property; but at the same time, let them acknowledge the liberty of the people, their right to protection and justice.

Yes,



Yes, the *rights* of the people! there are no other means left to silence the ring-leaders of faction, and repress the plunderers: any other league of the foreign powers would expose them to the same anarchy which now preys on the vitals of our bleeding country. Nothing would be more favourable to the system of our demagogues, nothing would throw a greater odium on the classes which they have proscribed, nothing would give them more influence over the minds of a deluded people, than a declaration of war against France, by the Germanic bodies, in order to recover the feudal rights of some of their princes. Whatever reason you may have for resentment, if you join with strangers in a political war against your country, you cease to be citizens of France.

Let your vengeance be directed against those only who are the authors of your misfortunes; let your cause be that of all the proprietors of France, let your interest be inseparably connected with theirs.

The foreign powers, whose aid you invoke, are themselves in the most imminent danger. The devouring flames which have consumed your habitations are ready to envelope them on their throne. Neither  
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their crooked politics, nor the force of their arms can save them from the impending storm. The only insurmountable rampart which they can erect for their safety, is a joint and solemn declaration of the *rights* of the people ; not such as they are held forth in the clamorous tribunes of Paris, but such as reason approves, and the general interest of society demands. The right of assenting to the laws and taxes, belongs to all the proprietors, and to *them* alone.\* The end proposed by the exercise of this right is, the preservation of property, of liberty, of morality, of public worship, and of government. Whatever individual, whatever society denies these principles, is the enemy of humanity. If the European Diet rest its public force on this basis, we shall no longer see a great nation tyrannised by Libellers, Hireling-capuchins, and petty-fogging Attorneys.

\* Personal security, inviolability of property, individual liberty, and public order; these are the eternal foundation of all societies. To invest the non-proprietors with political rights ; would destroy this foundation ; to confine them to the most enlightened and independant part of society, would consolidate it for ever.



## EXTRACT FROM LETTER IV.

TO M. D. N. M.

I HAD never had any personal acquaintance with Mr. De Mirabeau, and his private character had given me the greatest aversion to form with him any connections whatever. It happened that we were in opposition to each other from the very first opening of the assembly. I was therefore, surprised when Mr. du Roverai informed me, in the name of Mr. de Mirabeau, that the latter desired earnestly to have a conference with me. I accepted an appointment, and we met at Mr. du Roverai's. This was towards the latter end of May, 1789. I considered Mirabeau as one of the most dangerous innovators; but was much astonished at the manner in which he began the conference. "I wished earnestly, said he, to converse with you, sir, because I have perceived in you a true friend to liberty, notwithstanding your sentiments of moderation. I am perhaps more alarmed than you at the general fermentation in the minds of the people,

people, and the terrible evils of which it may be productive. I am not cowardly enough to sell myself to despotism! I wish for a free, but monarchical constitution. I would, by no means, overturn the throne; but if prudent and timely measures are not taken, I see, in our assembly, so much inexperience and exaggeration, so much resentment and inconsiderate resistance among the two first orders, that we have every reason to dread the most horrible commotions. I have the greatest confidence in your probity, sir, you are intimate with Mr. Necker, and Mr. Montmorin; you must know what they wish, and whether they have not already formed a plan: if their plan is reasonable it shall have my warmest suffrage."

This declaration made a very considerable impression on my mind; I believed it sincere, because it appeared reasonable. Mirabeau had great good sense, and never wished to do mischief for the sake of mischief. He has proved, in the discussion of many important questions, that his opinions were really monarchical. I therefore received this explanation with a certain confidence. I told him frankly I was of his opinion, that I was convinced of the necessity of forming the plan  
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of a constitution which might answer the expectation, and satisfy the reasonable wishes of the nation; but, that I was ignorant whether the ministry had yet formed any plan, though I doubted the contrary, and was as much alarmed by their seeming uncertainty and hesitation, as I was at the overheated and exaggerated ideas of many of my colleagues. Well, said he, will you propose them a conference with me?

To this I consented, and went to relate our conversation to Mr. Necker, and Mr. de Montmorin. They both seemed to feel the greatest repugnance to enter into a correspondence with Mirabeau; arguing his immorality, his character, and the danger of trusting to his sincerity. I endeavoured to overcome these objections, by observing that a man of such abilities, who discovered honest intentions, who, notwithstanding his immorality, did not, as yet, appear to be engaged in any party, and who would give an immense preponderance to whatever side he might embrace, who, far from being susceptible of bribery, had expressed himself in such a manner as proved that delicacy and precaution would be necessary in making him any proposals; such a man, I observed, merited at least to be

be fairly heard. It was agreed upon that M. Necker should receive him next day, which he did in consequence. Mirabeau expected to be consulted and entrusted with the communication of their plan, (which probably did not exist). On the other hand, Mr. Necker, had pre-resolved to be entirely passive, and hear only what Mirabeau had to say. Their conference was therefore very dry, and of short duration.

I shall not make them a second visit, said he to me, in entering the assembly, but I'll let them hear from me by and by. Unhappily for his country, he did not fail to keep his word.

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### EXTRACT FROM LETTER V.

TO M. DE N. M.

**W**E are now in the month of January, 1792, and the party-cry is (as it was at the end of 1789,) *no medium, no composition with our adversaries*. It is thus, since the very beginning of the revolution, that  
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the one party have progressively exaggerated their demands and pretensions, while the other have lost every thing by their weak, ill-concerted and imprudent resistance.

Such is the progress of the passions in their state of effervescence ; they rush forward to the end proposed without reflecting on the obstacles they may encounter, and are sure at last, to become either slaves or tyrants. But as it is impossible to co-operate with success in forming the legislation and government of an empire, without soaring above the passions of party, without calculating precisely what may be obtained from the reason and wisdom of the people, or what may be feared from their errors or infatuation ; I have always considered it my duty, as a Deputy of the assembly, to oppose with energy whatever was evidently *bad*, however weak and ineffectual my efforts might prove in the end. But I am well convinced, that it was necessary to yield to the empire of public opinion in things which admitted even the hopes of producing any good to the state.

Such has been the invariable system of my public conduct and opinions ; being, even now, firmly convinced that there is no other means of saving an agitated state from ruin,  
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but by opposing moderation to the violence of extremes. Whoever will candidly examine the real situation of France in 1789, before the introduction of the prevailing system, or the formation of these factions which agitate us at present, will easily perceive that the great body of the nation was moved by a general impulse towards liberty, and an irreconcilable hatred against the ancient government. Was it therefore prudent, in any reasonable man, to endeavour to preserve this government without making some reforms or modifications? Was it not adding strength to its enemies, to oppose their dangerous innovations by any other arms than by the principles of a free and well ordered constitution?

A hundred and twenty members of the minority of the assembly have given up their commissions, or absented themselves ever since the month of October 1789; among those who remain, some have refused to take any part in the deliberations of the assembly, others have made it a rule of conduct to consent to nothing which is, in the least degree, contrary to the ancient institutions; others again have rejoiced at the daring and fatal enterprises of our Innovators, from the  
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hopes that their absurdities and crimes would not fail to bring back the ancient system. Now, if every deputy had remained firm at his post, the minority might at least have stood on the defensive, and acted according to circumstances. In the first place, by the number of voices alone, we would have carried a vast number of questions which we have lost, sometimes for want of twenty, thirty, fifty, sometimes eighty votes. Besides, the majority has been reinforced by the new elected deputies who have been chosen amongst the most enthusiastic revolutionists. Nay, what is still more important, if the deputies of the minority had staid at their post, and exerted themselves in the good cause, we would infallibly have become the majority, by bringing over to our side, all those of moderate sentiments, who would readily have assented to a just and reasonable plan of government which bore the ensign of liberty. The minority, then, ought unanimously to have adopted such a plan, or to have resigned itself beforehand to the persecutions and evils it now endures.

There are but two ways of conducting mankind, viz. by the force of reason, or by the force of arms. If your proposals are  
such,

such, as the reason, the self-interest, or the passions of the majority will not admit, and if you are unable to enforce compliance by arms, your persisting in these proposals, can only be excused by their being connected with some moral or religious truth which conscience forbids to violate. But as the different modes of government offer a large field of discussion to the enlightened and well informed part of mankind, it is by no means consistent with good policy to insist on *that* form of government which *we* think the best, when we are sure that it will be rejected, as contrary to the prevailing opinion. A wise legislator will deviate, as little as possible, from what is evidently the general will, in order to obtain, more efficaciously, the means of enlightening his fellow-citizens, and making them listen to the dictates of reason. From this consideration, I inquired, two years ago, and I still inquire, of the zealots for the ancient mode of governing this kingdom, by what measures they intend to re-establish it? Do they hope, by reasoning, to operate on the minds of the multitude, intoxicated with the specious idea of liberty and equality? Do they by reasoning, I say, hope to bring back the mass of the people to

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acknowledge those distinctions, and submit anew to that authority which they have overthrown? Can they hope to do so by force? Alas! what force is now left at their disposal? Of what elements is the public force composed at present? Is not the mob now become the only instrument of the ruling power? Is not the mob employed to inspire terror, and command obedience? Is it not absurd to attempt the re-establishment of arbitrary authority in a country where discipline and subordination are annihilated! I say arbitrary authority, for such is the sense in which the multitude now consider the ancient government; and though its partisans should not see it in this light, yet it is impossible, either by force or persuasion, to bring back the ancient constitution, while it is branded in the public opinion with the odious name of despotism. It is easy to agree, unanimously in a drawing-room, where the members of a little society are all of the same opinion, that the lord-lieutenants, the parliaments, the three orders of nobility, clergy, and plebeians, form that kind of government which is by far the most consistent with our happiness and prosperity: but try to establish this doctrine in the towns, among the inhabitants of

the country, in the garrisons, and in the manufactures ; try to persuade two millions of armed men, that they ought to return under the yoke which they have broken and trampled in the dust. Cicero and Demosthenes would fail in the enterprize, and Frederic the Great would miscarry even at the head of his army.

Do not imagine that my opinion on this head arises from any prepossession in favour of my own principles or ideas. I doubt more than ever, whether the French are calculated for supporting the storms of liberty ! I doubt more than ever, whether they will be able to resist the too easy corruption of a government by representation.

The number of proprietors in France, whose fortunes are ample enough to enable them to dedicate their time and talents to the public welfare without any pecuniary reward, is extremely small indeed, when compared with the number of those who live by their industry : and whenever a salary is annexed to elective places, the persons who stand in need of such succours for their subsistence, will naturally yield to the passions and prejudices of *those* who *can* raise them to new dignities, or continue them in the old ones ; if, on the other hand,



hand, the Court should acquire a preponderance of credit, necessitous men will always be the most easily subjected to its will or caprice. In fine, the predominant power, in whatever hands it is placed, will always be able to dispose of necessitous men, and of those who are ambitious of making their fortune: no philosophical, or political principle is more positive than this. It is therefore evident that the principles adopted for the national representation, are sufficient to operate the destruction of liberty, even if there were no other false combinations in our new system of government.

If these reflections are just, in the present state of things, you will allow, that I had good cause, at the end of 1789, to regulate my conduct according to such maxims, and to consider the re-union of all impartial and moderate men, as the only means of saving the state from impending ruin. It was because the fundamental decrees of the constitution, which then appeared, tended to absolute democracy, that it became an object of the highest importance to create a resisting power, combined in such a manner as not to wear the least appearance of arbitrary authority, but which might be considered merely

merely a re-union of all the just and impartial ideas on a free and monarchical government. The nobility and clergy were not yet destroyed, or despoiled of their property : none of the decrees had then been proposed, which have since broken all the springs of government, and annihilated the royal authority. The new courts of judicature, the new administrative bodies were not yet established : the majority of the assembly, composed of weak, but honest men, were wavering between the dread of a total subversion of all social order, and the fear of returning under the yoke of the ancient aristocracy, which was then represented by the vile deceivers of the people, as continually hatching plots for the destruction of the opposite party.

Nothing was more important, nothing was more easy at this period, than for all honest and well-meaning men to form an alliance, and make head against the enemies of peace and public happiness. But such has been the fate of the numerous victims of the revolution, and even of those who have had the best intentions, that they have always acted without energy, because they have always acted with diffidence, or distrust one of another;



another; and one would think they have rather preferred to fall a prey to the common enemy, than submit to the little shades or difference of opinion which have prevailed among themselves. A re-union was proposed, and begun by establishing a society under the title of *the impartial club*; but this club was soon calumniated by our enemies, and afterwards rendered abortive, merely by the want of confidence and unanimity, among those who were, or ought to have been, its members.

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## LETTER VII.

ADDRESSED TO MR. D. N. P.

WITH what infatuated confidence many of our fellow-citizens have imagined, that, in order to arrive at a good government, nothing was necessary but to form a constitution; while others have thought it more expedient to overthrow our ancient government entirely, rather than seek to rectify its defects!

Inexperience and want of reflection have not been less fatal to our cause than the crimes  
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and knavery of our enemies. If those, who have had the most influence in forming our new laws, had possessed the smallest knowledge of the nature and true principles of government; if they had known the difficulty of framing the whole of a political system adapted to the welfare of a great nation, they would have contented themselves with rectifying the errors, and reforming the abuses of our ancient government, without impeding its activity.

Does history furnish us with one single example of a great nation, requiring a constitution from twelve hundred deputies, and giving the greatest influence in its formation to those who were totally unacquainted with public affairs?

As soon as I perceived in our assembly, that the disorders of discussion, and the furious wranglings of our demagogues, conveyed electric commotions to the spectators, who, in their turn, began to influence our debates, I was well persuaded that the clubs, the public-houses, and the street-cabals, would become the manufactures of the laws, which would be presented to us as the result of the public opinion and general will of the nation.

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The only resource against this fatal influence, would have been for the national representatives to deliberate in private on all difficult and important matters, and to form the assembly into small committees for preparing and digesting the decrees which were to undergo a general examination.

When I proposed the first of these expedients to counteract the influence of the mob; Mr. Volney, who opposed my plan, gained huzzas of applause from the spectators, by calling *them our masters*. From that moment the assembly became subservient to the galleries.

The latter expedient was, however, adopted, that is to say, committees were formed, in which the affairs of the nation were peaceably discussed. These committees acknowledged the danger of the declaration of *rights*, and wisely rejected it. Mr. Bouche proposed the abolition of the committees; and the same men, who, in their different sections or committees, had given proofs of wisdom, moderation, and honest intentions, being now in full assembly, adopted the extravagant proposition of Mr. Bouche. It was then, that intriguing and factious men strengthened their party, by an

an unhappy influence over all the timid and unstable members. For although such members might prefer what was good and just, when left to their own inclination, yet when actuated by fear, we have always seen them join with the strongest party.

It is certain that none of the leaders of the constituent assembly, wished the revolution to be such as it is at present. In changing the government, they intended, no doubt, to establish one, which might at least, protect their lives and property. But it is evident that they have not sufficiently understood their own system, since, by impeding the activity of the executive power, they have given rise, to that confusion and anarchy which now threaten them with destruction. You see how terrible are the consequences of a revolution which is effected by annihilating the supreme power; you see, by fatal experience, how difficult it is to re-construct the fabric of a government when once demolished! How vain and futile are all your theories which contradict this maxim!

Let us now take a view of the principles which have been laid down, and followed by the assembly. In whom resides all sovereignty? In the people, answer they. On

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whom ought this sovereignty to act? On the people. By whom ought it to act? By the representatives of the people. Who will repress the representatives, should they abuse their trust? The people. Who will repress the people, should they become licentious or unjust?

Here finishes the reaction, here vanishes the sovereignty, and with it, the constitution. Here anarchy commences, and will continue to rule with a rod of iron, until the return of a supreme authority.

First Truth resulting from the present theory of our innovators.

Second. If the consequence resulting from the principles of such a theory is, that in certain circumstances, the sovereignty becomes null, then it is evident that no well ordered government can be established according to these principles. For a well ordered government is the regular and continued action of the sovereignty.

Third. The sovereignty or supreme power cannot then reside in the multitude who ought to obey, but only in the principal members of the social body, because they were the first who manifested a desire of uniting,

uniting, and forming a government for the protection of their persons and property.

Fourth. This first will, or desire of uniting, is, in its nature, invariable and unanimous, being founded on the instinct of all political society. Therefore the principal members of the social body have never destroyed, but reformed their government.

Fifth. Anarchy and dissolution can therefore never happen but by a concurrence of actions and influence contrary to the instinct and desire of the social body. Such a concurrence of actions, and influence however vast, can never be considered as the general will, but as the enemy of the preservation and prosperity of the social body.

Sixth. It is evident that, in the mass of the people, the unanimous and invariable will of the social body may frequently be in opposition to the will of those who are enemies to its preservation and prosperity, such as malefactors, vagabonds, violent ambitious men, and all others whose principles are depraved. It is evident that the votes or will of those enemies may become superior in number to the unanimous and invariable voices of the principal members of the social body. There ought then to be a di-



stinct line of separation drawn between those who are to support, and direct the course of the society, and those who are to be repressed and kept within the bounds of moderation and justice.

These truths will, I think, appear incontestable to every impartial mind. No government can exist, if it is to be thwarted or overawed by the multitude, or if the multitude is not subordinate to the government. Now, the social body, in order to preserve its liberty, without impeding the activity of the sovereignty, can place the counter-poise no where but in the political influence of its essential members, that is to say, of the land-holders. For all moveable property, being susceptible of passing suddenly from one society to another, ought not to give the possessor any right in the administration of the soil.

## LETTER IX.

TO M \* \* \*

APRIL 27. 1792.

WHOEVER is interiorly persuaded that his ideas on the present situation of France are just, ought in duty to defend them, at a time when we are threatened with irretrievable ruin from an application of ideas that are false.

You judge with much sagacity, sir, of the danger to which all honest and well-informed men are at present exposed. The blind infatuation of some, the exaggerated and tyrannic opinions of others, the pusillanimity of many (who might, in all other respects, lay claim to the title of good citizens,) have brought us to the very brink of destruction.

I am not however of your opinion, sir, with regard to the causes of the revolution, it would equally have taken place without Mirabeau; it is not one man nor the writings of one man, but the writings and uninterrupted exertions of *many*, which have prepared our revolution. Ministers, courtiers, men of letters, magistrates, financiers, and philosophers, have



have all contributed to this event, which in all probability, will prove a scourge to the human race. It must be owned, indeed, that our innovators have taken their plan and means of execution from the last work of the Abbot de Mably\*, entitled; *the Rights and Duties of a Citizen*. That arsenal of the revolution contains the ideas and the texts,

\* Principles of Mr. de Mably, extracted from Page 249 of the *Rights and Duties of a Citizen*.

“ Every thing is left to the decision of folly in a real democracy, where each citizen may propose as a law the dreams of his overheated imagination, where no precautions are taken to frustrate the plots of designing and wicked men, or to restrain the licentious passions of the multitude. In such a state of things, is it the duty of any reasonable and well-informed man to humble himself, and blindly submit to the decrees of an assembly, which is nothing but a chaos of intregue and disorder? Ought he not to follow the example of Lycurgus, and conspire against laws which are destructive of the happiness of his country ?

“ If the Athenians please to pronounce the pain of death against any one who shall propose to employ the money set apart for plays and public amusements, to carry on and support an unavoidable war, ought Phocion to respect such a puerile and ridiculous law ? ought Demosthenes to obey it ? and I, who am neither of these great men, must I go with mirth and alacrity to the theatre while Philip is at our gates ?”

“ Page 256. That numerous class of men, who are but just raised to the level of common instinct, ought certainly to be exempt from the care of examining, or influencing the laws : they are condemned by their ignorance, to regulate their conduct according to example, to custom, and to authority.”

which

which have since been paraphrased by our demagogues ; but they have forgotten the advice of Mr. de Mably, and the conditions upon which he has grounded the success of his system. It is in vain that he has warned his disciples that, all sudden and multiplied innovations are eminently dangerous ; that, in order to establish liberty on the most solid basis, it is necessary to be extremely tender towards the interests of every party, to shock none of the ancient prejudices, to attach the nobility and clergy to the revolution by treating them with consideration and justice ; in fine, to do nothing more in the first session of a convention, than to lay the foundation of liberty, and fix a periodical meeting of the States general, and above all to guard against anarchy, which would not fail, says he, to replunge the people into the abyss of despotism. This counsel, from a man who is the declared enemy of royalty, the most ardent advocate of republicanism, whose democratical fanaticism carries him to form the project of establishing a colony in a desert Island, where the soil and productions might all be in common ; this counsel, I say, from a man of such principles, has been despised by our demagogues ; they have seized the destruc-



destructive axe of Mably, but have rejected his buckler.

In his ideal republic, he establishes parliaments, and provincial assemblies, our demagogues have destroyed both. Mably causes the deputies of the States general to be elected by the provincial assemblies, in order to have none but men of experience, reputation, and abilities in that supreme magistracy. Our demagogues, on the contrary, have abandoned all elections to the mob, and you now see the disastrous consequences of such proceedings.

Mably and Rousseau, with all their enthusiasm in favour of liberty, would shudder with horror and remorse, at the thought of having contributed to the formation of that horrible chaos which now pervades our bleeding country.

An erroneous meaning given to the words *sovereignty, equality, liberty, general will, nation, &c.* has plunged us into an abyss of misery; but on three or four *truths*, (which our present revolution will render obvious to all) depends the real and lasting happiness of society.

During a long series of ages, ignorance and superstition had constantly tended to favour despotism, and corrupt all the political institutions which were both wise and useful in  
their

their origin ; for every society has commenced, at the period of its civilization, by establishing a patriarchal government, by reserving to itself all the rights which tended to its safety, and by admitting of no distinctions or authority but such as were necessary to its welfare.

The wars, the conquests, and the state of barbarity in which Europe lay plunged before the revival of letters, had clouded the ideas of men, and confounded all the rights of social government. During the two last centuries, the progress of the human mind in speculative knowledge has been far greater than it ever was in the most splendid periods of antiquity: but, too long repressed by ignorance and superstition, when once left at liberty to act, it has taken the most unguarded flights, it has soared beyond the limits which nature has permitted us to attain, but never to pass without danger. After slumbering for ages under the yoke of tyranny, superstition, and prejudices of every kind, man felt himself under the necessity of rescuing, as it were by force, those moral and political truths, with which the happiness of his social existence is most intimately connected. Happy for humanity, if he had been able to discern the

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precise extent of every one of those truths, and keep within the bounds of moderation and justice!

If, in a state where the morals are corrupted, where the passions are in fermentation, and where your wants are multiplied by luxury, philosophy should, by repeated efforts, shake off the yoke of despotism and superstition, the philosophers will always go beyond their mark, and pull up the corn with the tares. That doctrine which frees man from every restraint will always gain the greatest number of converts, the most daring system will not fail to excite the greatest degree of enthusiasm. The first essays of liberty will always be carried to excess: every one will model his ideas of justice according to his own private interest, and in favour of his disorderly passions.

Such was the general state of things in France, and such were the causes which have produced the most astonishing revolution that has ever happened within the circle of human knowledge. It cannot be imputed to any one chief; never were there fewer individuals remarkable for their power, their influence, their talents, or their character, than at present.

Such a revolution would therefore have been impossible, notwithstanding the vices of the ancient government, had not the French been ripened, and prepared for it by the progress of learning in the midst of their corrupted morals.

Let us now follow the simultaneous influence of learning and corruption on those events of which we have been eye-witnesses. Philosophy inculcated the necessity of purifying religion from the numerous abuses which had insensibly crept into it, during a long series of ages. Philosophy taught us that princes were instituted for the people, and not the people for princes ; and that the law cannot, nor ought ever to be the arbitrary will of any individual.

These great truths, being diffused, in some measure, through every rank of society, have torn off the veil which covered political and religious errors. But these great truths were incapable of producing any happy effects, unless they had been embraced, and religiously followed by men of virtue and probity, invested with power and authority to repress the tumultuous passions of the wicked, and endowed with wisdom enough to reform abuses without commotion, and enlighten the  
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reason of the multitude by rectifying their morals. For want of such men amongst *us*, these same truths have given an irresistible empire to the passions and vices of the people. Ambitious or designing demagogues have said: religious fanaticism has ravaged the globe, let us proscribe religion! We have long been repressed by despotism, let us usurp the sovereign power! We have long been mortified by political distinctions; let us obliterate every distinction! We have been oppressed by unjust laws; let us abrogate all law! Tyranny is the bane of humanity, licentiousness must therefore be a blessing. Force consists in numbers, let us invest the multitude with the sovereignty! Here, sir, is a faithful portrait of what they now term the general will of the nation. Such, indeed, is the will of every depraved individual, but can an aggregate of these men be called a nation? Do they imagine that, by placing the words *reason* and *liberty* on their ensigns, the irruption of their vicious passions will form a political system of which reason and liberty can approve? Necessity, misfortunes, and experience, these severe preceptors of the human race, will soon re-appear, invested with that authority which they never fail to acquire

acquire from great catastrophes. And as the different nations have hitherto imputed all their calamities only to ignorance, superstition, and a violation of their rights, they will henceforth learn to know, that even these rights have their limits, beyond which is placed another abyss equally fatal: They will learn to know that an aggregate of men destitute of morality and virtue, form not a nation, but merely a licentious horde more or less formidable to their neighbours. Such will be the difference between our disastrous revolution and those which have preceded us, that, in the ages of barbarity and ignorance, the misery, want, and terror which followed any general subversion of order, made the people yield, without conditions, to the first chief who came to deliver them from the effects of their own fury. In an enlightened age, the consequence is far otherwise; as soon as the delirium subsides, the eternal principles of truth and liberty, which gave rise to the struggle, will resume their empire. The pompous distinctions of vanity and ambition will disappear for ever, as well as that ferocious tyranny and licentiousness to which we are at present exposed. The imperishable truths of philosophy, which are  
almost



almost universally diffused, will come forth, with redoubled splendor, when the clouds which now environ them are dispersed.

Without pretending to the gift of prophecy, I think I may venture to foretel what will be the result of our present troubles.

In the first place, it will be universally proved and acknowledged, that, the French revolution has operated a total subversion of the laws, religion, morals, and legal authority, only because it has been conducted by depraved, and inexperienced agents.

II. That the ancient government ought to have been reformed, but not overthrown.

III. That, instead of rendering the people free and happy, the demagogues of the revolution have rendered them ferocious and miserable.

IV. That true liberty can nowhere be found but under the empire of the laws and of uncorrupted morals; that licentiousness produces tyranny, and immorality produces crimes; that France, in its present state, is the scene of vice, cruelty, injustice, and licentiousness.

V. That a constitution which favours, or which is incapable of repressing such disorders, can neither be useful nor permanent.

VI. That

VI. That an extensive empire cannot subsist without one powerful and concentrated authority ; that equality is adapted to none but infinitely small societies.

VII. That democracy is the most oppressive, and the most easy to be corrupted of all governments.

VIII. That a representative government, in a great state, is a true democracy, when the choice of the people is not confined to that class of proprietors who are independent of all salary, and when the people have an immediate influence or power over their judges, their administrators, and their representatives.

IX. That none but the independent, enlightened, and well-informed part of a nation ought to influence the formation of the laws, because, that which is termed the general *will* of the people, is too often, nothing but the effect of the cabals and intrigues of designing men. We see, at present, from the small number of citizens who attend the elections, how difficult it is to obtain the just result of universal suffrage. Is it not evident that the majority of the nation is silent, while the minority, in the name of the general will, rules us with a rod of iron ?

X. That



X. That the most culpable perfidy, or the most inexcusable ignorance, has ruined our finances, annihilated our commerce, and lost our colonies.

XI. That order and harmony in an immense empire, are more essential to the real happiness of the people, than what often goes by the specious name of liberty; that there is neither government, safety, liberty nor peace, in a state where the mob is continually agitated by the furious chiefs of faction, and the mercenary pen of libellers.

XII. That monarchy consists in a constant and well regulated authority of *one* over the *whole*, and that the *easy* resistance of the whole against this concentrated authority will never fail to produce anarchy.

XIII. That the constitution is violated in its fundamental principles, not by those who are called its enemies, but by those who call themselves its friends; that liberty and equality, according to the manner in which they are established in France, are nothing else but the most violent exercise of that right which the *strong* assume over the *weak*. The clergy and the nobility are now the objects of that levelling vengeance which will soon extend to every proprietor.

XIV. That

XIV. That the fury of the federated clubs, and the disorganization of the troops threaten ruin to all the states of Europe; that those states ought to form one general league to preserve themselves from the conflagration; that the evil is without a *remedy*, unless reason and justice concur with their forces, to re-establish the fundamental principles of all society.

These fundamental principles (which have long been forgotten, or misunderstood) are  
I. The necessity of a supreme power, which may resist the will, and restrain the liberty of individuals, whenever they appear prejudicial to property or personal safety.

II. That none ought to concur in the establishing of this supreme power, but those who are interested in its being, at once, just and repressive.

III. That the absolute or despotic power of one man can only be reasonable in a society which acknowledges only one proprietor.

IV. That the influence of the non-proprietors on the supreme power, can only be just and reasonable in a society which acknowledges no proprietors.

V. That inequality, and political distinctions must necessarily exist in a great society.

VI. That, whatever the usurpations of

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pride and ambition may have added to these distinctions, ought by no means to be prejudicial to their utility, much less to serve as a pretext for destroying them.

VII. That the principles of morality and religion are as necessary to society as wise laws, in order to repress the usurpations of pride and ambition.

VIII. That immorality would rather contribute to re-establish than to extirpate superstition and fanaticism.

IX. That a monarchical government, in its primitive simplicity, is the only government which can maintain liberty and property in a great empire; that whatever may tend to impede the force, or divide the unity of this protecting power, ought to be abrogated. Whatever may tend to secure the liberty and property of the people, by the free consent of the proprietors to all the laws and taxes, ought religiously to be preserved.

Such, I hope, are the principles which *we* will acknowledge and adopt, as soon as we shall cease to be agitated by knaves, and scourged by the tyranny of ignorant demagogues.

You will ask me, perhaps, how it will be possible to conciliate the form of government,

ment, resulting from these principles, with the liberty and independence of the people?

The liberty of honest men, you know, is totally incompatible with that of intriguing knaves, seditious libellers and other perturbators of public peace: in order to protect the former, it is necessary to repress the latter. Such is the aim of the government resulting from the principles which I have here exposed.

As soon as it is agreed upon, and laid down as an established maxim, that the law cannot be the will of any individual, that the power, by which it is maintained, is the property of no one man; the law and the power by which it is maintained ought to be invested with the most energetic activity.

A despotic government is odious only by its partiality, and by the arbitrary will of individuals. But if the government is only absolute or despotic in support of the law, without exception of persons, and without exposing the citizens to the arbitrary will of individuals, the society is then in the most perfect state of liberty which is attainable by the imperfection of human nature: justice and protection compose the very essence of  
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the social compact. A government, how free soever it may be in other respects, if it wants energy to protect the law, and repress licentiousness, must necessarily effect the ruin of an empire. Our first views therefore should be to establish a supreme power, as a guarantee for our social existence; our second, to establish a barrier which may prevent the supreme power from becoming tyrannical.

This barrier is the law, independent of the will of individuals, and superior to the agents of the power and will of the monarch.

The laws should be proposed and digested by men of experience, and freely consented to by the principal members of the social body; I mean, by the proprietors of the soil. For none but those whose immediate interest it is to preserve order and maintain justice in society, ought to have any influence on the formation of the laws.

As the right of proposing and accepting the laws does not belong to all the members of the community without exception, it appears that the first function cannot be better filled than by the prince and his council who are the government; and the second,  
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by the representatives of the people, who have acknowledged the necessity of a government, and consented to its first establishment.

The representatives being chosen from among the proprietors, and invested with their confidence, are also the depositaries of their rights; and in order that they may support these rights without interrupting the activity of the government, they ought to confine themselves solely to the duty of consenting, rejecting, and accusing. They consent to the laws, to the taxes, and public expenses, or they reject them; they accuse, or approve the agents of the supreme authority.

Those who accuse, ought not to judge: therefore, when the agents of government are accused, they should be judged by a power entirely independent on government.

There ought then, to be two classes of representatives, one to accuse, and another to judge the agents of the supreme authority. Any other influence of the people and their representatives on the powers of government must tend either to alter, impede, or usurp the established authorities.

Hence it follows, that the executive part of government ought to be entirely separate



rate from the people and their representatives.

It is evident, from these principles, that a monarchical form of government is the only one which can effectually preserve liberty, protect persons, and secure property in a great empire.

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## NOTES OF THE TRANSLATOR.

INSURRECTION *of the 14th* JULY, 1789.

(1) **I**T is now beyond all doubt that the Duke of Orleans, Mirabeau, and the Abbot Sy  es were the Instigators of the popular insurrection of the 14th of July, 1789. There were at that time about eight thousand regular troops in the environs of Paris, brought thither by the king's order, with a view of impressing awe on the chiefs of sedition, who, for some time past, had been using all their endeavours, and intrigues to excite the populace to take arms under pretence that the liberty of the National Assembly was in danger. The assembly requested the king to withdraw these troops; but his Majesty refused acceding to their imprudent demand on account of the fermentation and troubles which were daily increasing in the capital. The chiefs of faction were highly enraged at the king's refusal. Camille des Moulins, a furious journalist, mounted on a chair in the public places, and harangued the people, brandishing a sword in his hand. This electric commotion was soon diffused through every quarter of the town and suburbs: the populace flew to arms, attacked the *Bastille*, and the Military Hospital for invalids, neither of which places was defended. They assassinated the governor of the former, and committed other acts of cruelty without being molested. The troops, who had been base enough to violate their oath for the paltry bribes and promises of the factious ring-leaders, remained idle spectators during the whole of those seditious outrages.

The populace elected their chiefs, and assumed the title of *National Guards*. A like commotion took place, almost at the same time, through the whole kingdom, so that a formidable army of national guards, was instantly established in opposition to the royal army.

We may date the democratical revolution from this period. The king, accompanied by several members of the assembly, went to the Town-Hall on the 7th of July, where he received the national cockade from the mayor Mr. Bailli, and gave his sanction to all that had passed.

It cannot be denied that a very considerable part of the French nation were concerned, either directly or indirectly, in  
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the insurrection of the 14th of July, for the ring-leaders of faction had dexterously and successfully insinuated to the people that the king had formed a project for dissolving the States-general, and re-establishing the ancient authority with all its defects and abuses.

Such, perhaps, might have been the intention of some of the ministers, but it certainly never was that of the monarch, whose errors were always on the side of justice and humanity.

*On the INSURRECTION of the 5th of OCT. 1789.*

(2) THE pretext for this insurrection was the reluctance which the king shewed to sanction the *declaration of the Rights of Man*; a declaration which (among some good and salutary maxims) contains principles, that are in themselves totally subversive of all civil society.

The demagogues having assumed a complete empire over the minds of the populace of Paris, wished to find means of bringing the king and the assembly to reside there, in order that they might have a better opportunity of conducting the revolution according to their own private views.

They feigned a want of bread in Paris; they terrified the minds of the people with imaginary plots and conspiracies of the Court, they dispatched their hellish missionaries to every quarter in order to kindle the flames of discontent and rebellion; in short, they succeeded so well in their enterprise, that on the morning of the 5th October, they found themselves at the head of a very numerous and tumultuous assembly in the square before the town hall. They sent a peremptory order *in the name of the people*, to La Fayette, to the municipality, and to the principal officers of the national guards, to march at the head of this multitude to the Court of Versailles.

The marks of zeal and attachment which the king had received from his guards at an entertainment, had given great fear and uneasiness to the Orleans-faction and to the Jacobins. This was the real cause of the insurrection of which we are speaking. Some of the ladies of honour had imprudently distributed white cockades among the guards, this was more than sufficient to make the queen suspected of a conspiracy against the liberty of the people. From that moment the death of this unfortunate Princess, and the massacre of the king's guards were resolved upon by the leaders of those abominable factions.

The horrors committed during this insurrection are pretty generally known: It is well known also, that if the king had permitted his guards to fire on the first hords of assassins who advanced, it would have been extremely easy, not only to repulse them, but to crush the rebellion effectually by one single act of necessary severity.

All resistance was prohibited by his majesty; the multitude rushed into the palace, murdered the guards without pity, seized the royal family, and led them in procession to the capital.

Among many other acts of barbarity committed on this occasion, I shall only relate *one*, which is, I think, very characteristic of that refined and wanton cruelty which really seems natural and peculiar to the low people of France.

They stuck the heads of their most distinguished victims on pikes, and carried them in the procession before the royal family. In passing by a barber's shop, they were struck with the idea of having those heads dressed and powdered in the most superb manner, by way of derision. They entered the barber's shop, in the village of Seves presented him the mangled heads, and ordered him to display all his skill in dressing them *a la mode*. It happened that this poor man, was not, like themselves, devoid of feeling and humanity. He recoiled at the sight, fainted away, and on coming to himself, told them he could not do what they desired. The ruffians drew their swords, and swore they would cut him and his family in pieces if he did not instantly obey their orders; the poor man dressed the heads, but the impression of fear and horror had been so great that he died within a very few days afterwards.

(a) The by-laws were such as the assembly promulgated almost every day, for the purpose of serving new, and unforeseen circumstances, which occur so frequently, and vanish so quickly in the course of great revolutions. Many of those ridiculous decrees were, however inserted, and confounded in the grand character among the constitutional articles.

Mirabeau and the Abbot Sy  es, wishing to create a military force, which might oppose the regular army, and facilitate the revolution, found means, in the month of July 1789, of forming all the inhabitants of France into a body of militia. This dangerous institution became afterwards a constitutional article under the name of *gardes nationales*.

(b) This *declaration of rights*, as it is inserted in the constitutional charter, has been one of the principal causes of the unprecedented cruelties injustice, and horrors which have been committed in France; and it may become extremely fatal to all the other nations of Europe.

The dangerous and false maxim of equality will always tend to arm the poor against the rich, and those who obey against those who command. *Abstract principles*, (subject to eternal exceptions) should never be presented to the people as simple truths. It is certain that inequality of fortune and condition is the very soul and essence of civil society; for if we had no acquired rights to protect and defend we should have no need of a government or of any social compact whatever.

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(c) We have seen the popular societies and *sections* of Paris arrogate to themselves the title of *sovereign*, and dictate laws to the king and to the assembly, by declaring such and such things to be the *will* and *intention* of the *sovereign people*.

(d) The members of the departments and districts, who were elected by the people, were entrusted with the whole of the executive power in the administration of public affairs; whereas these members ought to have been nominated by the King, rendered responsible for their conduct, and inspected by the representatives of the people.

It was absurd to imagine that the monarchy could subsist under such regulations, or that the monarch could be of any utility in the state, after the executive and legislative powers were united in the hands of men who were elected by the popular assemblies.

(e) Every municipality became a little despotic government of itself. They commanded, and regulated the military forces, disposed of the public money, appropriated to their use the national domains, demolished or erected fortresses, imprisoned the citizens, and despoiled those whom they thought fit to consider as *suspected persons*.

The sophistical doctrines which have been diffused in this kingdom, and which are still preached up by the disciples of Thomas Payne, have induced me to translate this discourse on the constitutional charter, in preference to some others, because, I think, it contains very striking demonstrations of the dangers accruing from an unlimited democracy in a great empire.

The truth of Mr. Malouet's arguments in this discourse, has been sufficiently verified by the events which have passed before our eyes during the subsequent part of the French Revolution.

(f) In order to understand the sense and aim of this letter, it would be necessary to have some knowledge of the constitution of 1789. This constitution is founded on the absurd doctrine of *equality*, and gives the right of election, and of being elected, to all those who pay a tax of two shillings per annum.

Now, as the primary assemblies were convoked at least ten times a year for the different elections of magistrates, administrators, bishops, &c. &c. the multitude was kept in perpetual commotion, and lost every idea of obedience to any superior power. In this state of things all personal security was at an end; no safety, no protection whatever against the violence of the mob. Thousands of honest and respectable families emigrated during this stormy period of anarchy; not because they wished to oppose the establishment of a free and equitable government, but from the fear of falling under the axe of the assassins.

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This universal anarchy was succeeded by the revolutionary government, that is to say, by the most terrible despotism that has ever existed on the face of the globe. The primary assemblies were then suppressed, all popular elections suspended, and (if we except a few of the most violent Jacobins who were necessary to the assembly, by acting as executioners in the revolutionary government of the people,) the people were deprived of all right or influence whatever in the affairs of the state. And even these Jacobins, since the death of Robespierre, have been suppressed by the authority of the assembly which does not, I think, bear the smallest resemblance to a republic, but is in reality a despotic and absolute regency.

(g) The liberty and equality, practised in the new institutions and establishments in France, far from promoting the general interest and happiness of the community, have produced nothing but the most horrible tyranny and oppression of one party over another.

(h) Nothing was more common in France, during the first years of the revolution, than to see men, who were literally incapable of spelling their own name, elected as members of the municipalities, of the districts, and of the departments. I knew one of the most learned and most respectable bishops of the kingdom, succeeded in his functions as principal and governor of a very considerable college, by a man named Pignol who had passed his younger days in the capacity of a scullion, and the rest of his life in the capacity of a cook in public taverns and in gentlemen's families.

*Note on Letter the 3d.*

We should be apt to consider this letter as having been written posterior to the disasters of the combined powers, if we did not know that it was published in France 3 years ago, among the rest of Mr. Malouet's Letters and Opinions.

*Note for Letter the 5th, on MIRABEAU.*

Mirabeau, though factious from motives of ambition, had too much genius and depth of political knowledge not to be interiorly attached to the principles of monarchy and royal authority. He was perfectly convinced in his own mind that no other form of government whatever is so well adapted to the happiness and prosperity of a great empire. We may see from this letter, that he was eagerly desirous of supporting the Court party; but when his proposals were rejected, he became one of the most dangerous demagogues of the revolution. Perceiving however, that the delirium of democracy was hurrying the state to the very brink of destruction, he was generous



rous enough to stifle his passion of resentment, and, conquering his insatiable thirst of popular applause, he became one of the most zealous partizans of royalty. As, in the year 1790, he had acquired an immense empire over the minds of the people, his interest and suffrage were no longer rejected by the Court. He began to think seriously of re-establishing the royal authority, of checking the torrent of licentiousness and of procuring to his country a free and reasonable constitution.

Scarce had he conceived this elevated plan, scarce had he formed the resolution of making an open and solemn declaration of his political principles, when death put an end to his inglorious career.

Mr. Malouet, in the second volume of his *Opinions*, seems to regret the premature death of a man whom he had never esteemed, but who was willing and capable of repairing a part of the evils which he had brought on his unhappy country.

## F I N I S.

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## E R R A T A.

*Page 13, line 25, for active, read executive.*

— 14, — 16, no period after *recorders*.

— 41, for LETTER IV. read LETTER III.

— 53, read LETTER V.



















